STATE OF MAINE

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Multi-Sector General Permit
Maine Pollutant Discharge Elimination System
Stormwater Discharge Associated
with Industrial Activity

(excluding Construction Activity)

Bureau of Land and Water Quality
Waste Discharge License # W-008227-5Y-A-N

October 11, 2005

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GENERAL PERMIT
MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM
STORMWATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY
(Revised 10/11/05)

PLEASE READ THIS PERMIT CAREFULLY!

To obtain coverage under this permit, two conditions must be met. The first is that the facility must meet at least one of the conditions in the definition of "stormwater discharge associated with industrial activity" (see 06-096CMR 521 § 9(b)(14) see also 40 CFR 122.26(b)(14)). The second is that the discharge of stormwater associated with industrial activity must be a point source (see 38 M.R.S.A. §466(5) (definition of "direct discharge") and 06-096 CMR 520 (definition of point source"), which discharges to a surface water body, wetland or a separate storm sewer system. If both of these conditions are met, then the facility needs to seek coverage under this permit or an individual or alternative General Permit.

Part I. GENERAL COVERAGE UNDER THIS PERMIT

A. Permit Coverage. This General Permit authorizes the direct discharge (point source discharge) of stormwater associated with an industrial activity to the waters of the State other than groundwater, provided that the discharge meets the requirements of this General Permit and applicable provisions of Maine's waste discharge and water classification statutes and rules.

This General Permit is effective October 11, 2005, and authorization to discharge under this General Permit expires October 11, 2010. The Department intends subsequent re-issuance of this Multi-Sector General Permit ("MSGP"). This General Permit applies in those parts of the State for which the Department has received delegated authority under the federal NPDES program. This General Permit replaces EPA's MSGP for Industrial Activities issued October 30, 2000.

B. Eligibility.

1. Except stormwater discharges identified under Part I(B)(3), this permit may cover the following new and existing discharges composed entirely of stormwater discharges.

The permit eligibility is limited to stormwater associated with industrial activity, as defined in 06-096CMR 521 § 9(b)(14) see also 40 CFR 122.26, from the "sectors" of industry based on Standard Industrial Classification (SIC) codes and Industrial Activity Codes as described in Table 1 of the Appendix, and that are specifically identified by outfall or discharge location in the Stormwater Pollution Prevention Plan ("SWPPP"). References to "sectors" in this permit (e.g., sector-specific monitoring requirements, etc.) refer to sectors listed in the above referenced Table 1.

Discharges of stormwater associated with industrial activity are not required to obtain a permit if there is "no exposure" of industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff, and the discharges satisfy the conditions of 40 CFR 122.26 (g). "No exposure" certification must be submitted to the Department if the owner(s) or operator(s) of the Stormwater Discharges Associated with Industrial Activity

is seeking conditional exclusion from permit authorization (see Appendix AE).

Co-located Activities. If the facility has co-located industrial activities on-site that are described in a sector(s) other than the primary sector, the owner(s) or operator(s) of the facility must comply with all other applicable sector-specific conditions found in Part VI for the co-located industrial activities. The extra sector-specific requirements are applied only to those areas of the facility where the extra-sector activities occur. An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the stormwater regulations, and identified by this permit's SIC code list.

If runoff from co-located activities mixes, the owner(s) or operator(s) of the facility must monitor the discharge as per the requirements of all applicable sectors (regardless of the actual location of the discharge). If the owner(s) or operator(s) of the facility complies with all applicable requirements from all applicable sections of Part VI for the co-located industrial activities, the discharges from these co-located activities are authorized by this permit.

2. Allowable Non-Stormwater Discharges. This permit authorizes the following non-stormwater discharges provided they do not cause or contribute to a violation of water quality standards as determined by the Department; these discharges must be addressed in the SWPPP if they are identified by the permittee as significant contributors of pollutants.

   Allowable non-stormwater discharges under this permit are limited to the following: discharges from fire fighting activities; fire hydrant flushings; external building washdown that does not use detergents; lawn watering; uncontaminated ground water; uncontaminated springs; air conditioning condensate; potable waterline flushings; irrigation drainage; uncontaminated foundation or footing drains where flows are not contaminated with process materials, such as solvents, or contaminated by contact with soils, where spills or leaks of toxic or hazardous materials has occurred; and incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains); uncontaminated utility vault dewatering; dechlorinated water line testing water; hydrostatic test water that does not contain any treatment chemicals and is not contaminated with process chemicals. If any of these discharges may reasonably be expected to be present and to be mixed with stormwater discharges, they must be specifically identified and addressed in the facility's SWPPP.

3. Limitations on Coverage. The following stormwater discharges are not authorized by this permit:

   a. Stormwater discharges associated with industrial activity mixed with other discharges, unless the other discharge is authorized by a different MEPDES permit; or the other discharge is identified in Part I(B)(2) of this permit; or

   b. Stormwater discharges associated with industrial activity from facilities with existing effluent guideline limitations for stormwater under 40 CFR Subchapter N, except the following discharges subject to an effluent

guideline that also meet all other eligibility requirements, and the Department determines the stormwater discharge is eligible for coverage under this permit:

i. Runoff from material storage piles at cement manufacturing facilities [40 CFR Part 411 Subpart C (established February 23, 1977)];

ii. Contaminated runoff from phosphate fertilizer manufacturing facilities [40 CFR Part 418 Subpart A (established April 8, 1974)];

iii. Coal pile runoff at steam electric generating facilities [40 CFR Part 423 (established November 19, 1982)];

iv. Discharges resulting from spray down or intentional wetting of logs at wet deck areas [40 CFR Part 429 Subpart I (established January 26, 1981)];

v. Mine dewatering discharges at crushed stone mines [40 CFR Part 436, Subpart B];

vi. Mine dewatering discharges at construction sand and gravel mines [40 CFR Part 436, Subpart C];

vii. Mine dewatering discharges at industrial sand mines [40 CFR Part 436, Subpart D];

viii. Runoff from asphalt emulsion facilities [40 CFR Part 443, Subpart A (established July 24, 1975)]; and

ix. Runoff from landfills [40 CFR Part 445, Subpart A and B (established February 2, 2000)].

c. Stormwater discharges associated with industrial activity that requires an individual waste discharge permit or is required to obtain coverage under another waste discharge General Permit:

i. A waste discharge permit may be required for activities such as combined sewer overflows (CSO(s)), spray irrigation, process water treatment systems, metallic mine drainage, and other discharges inadequately covered by this General Permit.

ii. The Department may require any person with a discharge authorized by this General Permit to apply for and obtain an individual permit.[1] Any interested person may petition the Department to take action under this paragraph. Examples of when an individual waste discharge permit may be required are specified in rule[2].

d. Stormwater discharge(s) that the Department has found to be, or may

[1] See 06-096 CMR 529(2)(B)(3)
[2] See 06-096 CMR 529 (2)(b)(3)

reasonably be expected to be, contributing to a violation of water quality standards or is a significant contributor of pollutants;

e. Stormwater discharge(s) associated with industrial activity from facilities where any MEPDES permit has been or is in the process of being denied, terminated, or revoked by the Department (other than in a replacement permit issuance process). Upon request, the Department may waive this exclusion if owner(s) or operator(s) of the facility has since passed to a different owner(s) or operator(s) and new circumstances at the facility justify a waiver;

f. Stormwater discharges associated with construction activity including, but not limited to, clearing, grading, excavation, and filling, where total land disturbance is equal to or greater than five (5) acres, and where stormwater runoff discharges into the waters of the State;

g. Stormwater discharges associated with industrial activity that may adversely affect a listed, or a proposed to be listed, endangered or threatened species or its critical habitat;

h. Stormwater associated with industrial activity discharging into any water for which a Total Maximum Daily Load (TMDL) has been either established or approved by the EPA unless the stormwater discharges are consistent with that TMDL;

i. Stormwater associated with industrial activity subject to Anti-degradation Water Quality Standards;

j. Stormwater discharges to groundwater that do not meet the requirements of 06-096 CMR 500 Appendix D or other General Permit requires an individual waste discharge permit.

C. Authorization. To be covered under this General Permit, owner(s) or operator(s) of stormwater discharges associated with industrial activity must submit to the Department a Notice of Intent (NOI) form by US Postal mail or hand delivery, in accordance with the requirements of Part III of this permit. Upon review of the NOI, the Department may authorize or deny the discharge. If denied, the owner(s) or operator(s) must resubmit or submit an application for an individual or an alternative General Permit. The Department may deny coverage under this permit at any time and require submittal of an application for an individual or an alternative General Permit.

1. *Granting of Authorization.* An owner(s) or operator(s) of a facility discharging stormwater associated with industrial activity that was authorized under EPA's October 30, 2000, Storm Water Multi-sector General Permit for Industrial Activities must submit a completed NOI by no later than November 14, 2005. Unless notified by the Department to the contrary, owner(s) or operator(s) who submit such notification are authorized to discharge under the terms and conditions of this permit. These permittees must bring their SWPPP into compliance with this General Permit.

A facility discharging stormwater associated with an industrial activity that was not authorized under EPA's October 30, 2000, Storm Water MSGP for Industrial

Activities must submit a completed NOI by no later than November 14, 2005. These permittees must develop and implement a SWPPP that complies with this General Permit. Unless notified by the Department to the contrary, owner(s) or operator(s) who submit such notification are authorized to discharge under the terms and conditions of this permit. A Notice of Intent for permit coverage must be submitted for a new facility or for an existing facility where ownership has been transferred. A SWPPP must be prepared before submitting the Notice of Intent.

2. *No Exposure Certification*. Facilities with a discharge composed entirely of stormwater where "no exposure" of industrial materials occurs and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff, and the discharge satisfies the conditions at 40 CFR §122.26(g), must submit a MEPDES "no exposure" certification to the Department by no later than November 14, 2005, if the owner(s) or operator(s) of the discharge of stormwater associated with an Industrial Activity is seeking conditional exclusion from permit authorization. At a minimum, the following information must be submitted:
    a. Owner's or operator's name, mailing address and telephone number;
    b. Name and location of the facility;
    c. Primary and secondary (if applicable) SIC code(s); and
    d. Certification that a condition of no exposure exists on site for any industrial activities.

D. Termination of Coverage. Owner(s) or operator(s) of facilities must notify the Department, on a form provided by the Department, in writing when discharge(s) of stormwater associated with industrial activity no longer occurs at the facility. At that point, coverage under this permit is terminated. At a minimum, the following information is required to terminate coverage under this permit:

1. MEPDES stormwater permit number;
2. Owner's or operator's name, mailing address, and telephone number;
3. Name and location of the facility; and
4. Certification that stormwater discharge associated with industrial activity no longer takes place on-site.

E. Authority. A permit is required for the direct or indirect discharge of pollutants to the waters of the State.[3] A General Permit may be issued for point discharges (direct discharges) of stormwater.[4] A violation of a condition or requirement of this General Permit, or owner(s) or operator(s) who fail to notify the Department of his or her intent to be covered under this General Permit and discharge stormwater associated with industrial activity to waters of the State or to a separate storm sewer system without an individual MEPDES permit, are in violation of Maine's water quality laws and the federal Clean Water Act, and subjects the discharger to penalties under 38 M.R.S.A. § 349 and § 309 of the Clean Water Act. Nothing in this General Permit is intended to limit the Department's authority under the waste discharge and water classification statutes or rules.

Part II. PERMIT CONDITIONS

A. Stormwater Pollution Prevention Plan (SWPPP). Development of a SWPPP, as described in

[3] See 38 M.R.S.A. § 413.
[4] See 06-096 CMR 529(2)(a)(2)(i)

Part IV of this permit, is required prior to submitting the NOI. Compliance with the SWPPP is required upon the date of authorization to discharge under this permit. A copy of the SWPPP must be kept on site at all times for coverage under this permit to be maintained.

B. Monitoring Requirements. The owner(s) or operator(s) of the stormwater discharge must review Parts V and VI of this permit to determine which monitoring requirements and numeric limitations apply to the facility. Failure to meet the monitoring requirements under this part of this permit constitutes a violation of this General Permit and the Clean Water Act, and may be subject to enforcement action by the Department.

Only those stormwater discharges subject to the following effluent guidelines listed in the table below are eligible for coverage under this permit provided that activities match the listed activity or SIC code(s) and meet effluent guidelines established in federal regulations.

Effluent Guidelines Applicable To Discharges That May Be Eligible For Permit Coverage

Effluent Guidelines	New Source performance standards included in effluent guidelines?	Sectors with affected facilities	SIC or Activity Codes
Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C (established February 23, 1977))	Yes	E	
Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A (established April 8, 19747))	Yes	C	2874
Coal pile runoff at steam electric generating facilities (40 CFR Part 423 (established November 19, 1982))	Yes	O	SE
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas (40 CFR Part 429, Subpart 1 (established January 26, 1981))	Yes	A	2411
Mine dewatering discharges at crushed stone mines (40 CFR part 436, Subpart B)	No	J	
Mine dewatering discharges at construction sand and gravel mines (40 CFR part 436, Subpart C)	No	J	
Mine dewatering discharges at industrial sand mines (40 CFR part 436, Subpart D)	No	J	
Runoff from asphalt emulsion facilities (40 CFR part 443, Subpart A (established July 24, 1975))	Yes	D	2951, 2952
Runoff from landfills (40 CFR Part 445, Subpart A and B (established February 2, 2000))	Yes	K & L	HZ, LF

C. Reporting.

1. Reporting Results of Monitoring

Depending on the types of monitoring required for the Sector/facility, the permittee may have to submit the results of the monitoring or the permittee may only have to keep the results with their SWPPP. The permittee's reporting

requirements and deadlines are as follows:

a. Monitoring for Numeric Limitations results must be submitted to the Department by the 15th day of the month following the monitoring period; and

b. Visual Monitoring results must be retained with SWPPP. The results of the visual monitoring must be maintained at the facility, and are submitted to the Department only upon its request.

D. Retention of Records.

1. Documents. In addition to the requirements of Part VII(L) of this permit, the permittee must retain copies of SWPPP and all reports and certifications required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the facility's coverage under this permit expires or is terminated. This period may be extended by request of the Department at any time.

2. Accessibility. The permittee must retain a copy of the SWPPP required by this permit (including either a paper or electronic copy of the permit language) at the facility from the date of permit coverage to the date of permit coverage ceases. The permittee must make a copy of the SWPPP available to the public if requested to do so in writing.

E. Comprehensive Site Evaluation. All facilities, regardless of sector, subject to regulation under this General Permit must perform quarterly site inspections. These quarterly inspections must be performed in accordance with Part IV(K) of this permit to evaluate the effectiveness of the SWPPP. The results of these inspections must be properly recorded and maintained on site for a period of three (3) years from the date that the facility's coverage expires or is terminated. A detailed report must be developed summarizing the scope of the inspection, personnel making the inspection, major observations related to the implementation of the SWPPP, and any actions taken to amend the Plan in accordance with observations made from inspections. The report must identify any incidents of non-compliance and be certified in accordance with Part VII(E) of this permit.

Part III. NOTICE OF INTENT REQUIREMENTS

A. Notice of Intent (NOI). By submitting an NOI, the applicant agrees to comply with the standards of this General Permit. An NOI must be submitted to the Department with the appropriate fee, with failure of proper payment resulting in summary rejection of the NOI.

B. Processing of NOI. Prior to any industrial stormwater discharge authorization an NOI must be reviewed and approved by the Department.

The NOI is deemed approved fourteen (14) calendar days after the Department receives the application form, unless the Department approves or denies the NOI prior to that date. If the Department does not speak with or write to the applicant within this 14 day period regarding the NOI, the applicant may proceed to carry out the activity.

C. Submission. A person must file the NOI using a form provided by the Department. A person must sign the NOI in accordance with Part VII(E). The NOI must contain all

information specified by the Department, including that listed in this section of the General Permit. The NOI must be sent to the address indicated on the NOI form. A copy of the initial NOI form shall be provided by the applicant to the municipal office of the town or city, or the county commissioners in the case of an unorganized territory, in which the discharge will occur at the time it is submitted to the Department.

D. Contents of Notice of Intent.

1. Permit number assigned to facility under the previous EPA permit, if any;

2. The facility owner's or operator's /contact's name, address, telephone number;

3. Facility/Site information including name, address and location of the facility, including the latitude and longitude of the facility and status as a Federal, State, Tribal, Private or other public entity;

4. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer (MS4), the name of the owner(s) or operator(s) of the storm sewer system and the ultimate receiving water(s), if known;

5. The primary and secondary (if applicable) SIC that best represents the principal products produced or services rendered by the facility and major co-located activities;

6. An identification of the applicable sector(s); and

7. Additional information may be required by the Department to be included as part of the NOI, if the Department determines that such information is reasonably necessary to determine whether or not to authorize the discharge under this permit.

E. Where to Submit. A completed and signed NOI, in accordance with Part VII(E), must be submitted to:

Maine Department of Environmental Protection
Stormwater Coordinator
17 State House Station
Augusta ME 04333-0017

F. Deficient NOI. If any portion of the NOI does not meet one or more of the minimum requirements of this part, than the applicant will be notified of the deficiency within the review period. It is the responsibility of the applicant to make all required changes and resubmit the NOI. The review period will recommence upon the received submittal date of the revised NOI.

Part IV. STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

A. Stormwater Pollution Prevention Plan. A SWPPP must be developed for each facility covered by this permit. The SWPPP must be prepared in accordance with good engineering practices and identify potential sources of pollutants, which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility. In addition, the Plan must describe and ensure the implementation of Best Management Practices (BMPs) as identified in this Part, which are to be used to reduce or

eliminate the pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.

B. SWPPP signature. The SWPPP shall be signed in accordance with Part VII(E) of this permit and retained on-site for a period of at least three (3) years from the date that the facility's coverage under this permit expires or is terminated. Owners or operators of a facility with stormwater discharges covered by this permit shall make plans available upon request to the Department or in the case of a stormwater discharge associated with industrial activity, which discharges through a municipal separate storm sewer system with a MEPDES stormwater permit, to the wastewater authority having jurisdiction for the sewerage system.

C. Department review. Department staff may notify the permittee at any time that a SWPPP is determined not to meet one or more of the minimum requirements of this Part. After such notification from the Department, the permittee shall make changes to the Plan and shall submit to the Department a written certification that the requested changes have been made. Unless otherwise provided by the Department, the permittee shall have sixty (60) days after such notification to make the necessary changes.

D. Amending the SWPPP. The permittee shall amend the SWPPP within sixty (60) days whenever there is a change in design, construction, operation, or maintenance at the facility, which has a significant effect on the potential for the discharge of pollutants to the waters of the State; a release of reportable quantities of hazardous substances and oil (see 38 M.R.S.A. § 543, 550 and 1318-B); or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with industrial activity. Changes must be noted and incorporated into the SWPPP.

E. SWPPP preparation. Each facility seeking coverage under this permit must prepare a SWPPP as described in Part IV(F) prior to submitting Notice of Intent for permit coverage. The SWPPP must:

1. Identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges from the facility;

2. Describe and ensure implementation of practices which the permittee will use to reduce the pollutants in stormwater discharges from the facility; and

3. Assure compliance with the terms and conditions of this permit.

F. Contents of the SWPPP.

1. Pollution Prevention Team. The SWPPP must identify the staff individual(s) (by name or title) that comprise the facility's stormwater Pollution Prevention Team. The Pollution Prevention Team is responsible for assisting the facility/plant manager in developing, implementing, maintaining and revising the facility's SWPPP. Responsibilities of each staff individual on the team must be listed.

2. Site Description. The SWPPP must include the following:

a. *Activities at Facility. D*escription of the nature of the industrial activity(ies) at the facility;

b. *A site map identifying the following*:

i. Directions of stormwater flow (e.g., use arrows to show which ways stormwater will flow);

ii. Delineation of impervious surfaces;

iii. Locations of all existing structural BMPs to reduce pollutants in stormwater runoff;

iv. Locations of all surface water bodies;

v. Locations of all separate storm sewers;

vi. Locations of potential pollutant sources identified under Part IV(F)(4) and where significant materials are exposed to precipitation;

vii. Locations where major spills or leaks identified under Part IV(F)(5) have occurred within the past three years;

viii. Locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, and liquid storage tanks;

ix. Locations of stormwater conveyance systems/outfalls including boat ramps and an approximate outline of the area draining to each outfall;

x. Location and description of non-stormwater discharges;

xi. Locations of the following activities where such activities are exposed to precipitation: processing and storage areas; access roads, rail cars and tracks; the location of transfer of substance in bulk; and machinery; and

xii. Location and source of runoff from adjacent property containing significant quantities of pollutants of concern to the facility (an evaluation of how the quality of the stormwater running onto the facility impacts the stormwater discharges may be included).

3. Receiving Waters and Wetlands.

The name of the nearest receiving water(s), including intermittent streams and wetland(s) that may receive discharges from the facility. An unnamed stream or wetland must be designated as such.

4. Summary of Potential Pollutant Sources.

The permittee shall identify each separate area at the facility where industrial materials or activities are exposed to stormwater. Industrial materials or activities

include, but are not limited to, material handling equipment or activities; industrial machinery; storage, cleaning, fueling and maintenance of vehicles and equipment storage; and raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each, separate area identified, the description must include:

a. *Activities in Area.* A list of the activities (e.g., material storage, loading, access areas, equipment fueling and cleaning, cutting steel beams);

b. *Pollutants.* A list of the associated pollutant(s) or pollutant parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The pollutant list must include all significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to stormwater between the time of three (3) years before being covered under this permit and the present;

c. *Method of on*-site *storage or disposal*. A list of raw materials, intermediate materials, final products and waste materials and products.

d. *Direction of flow*. For each area of the facility that generates stormwater discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow and an estimate of the types of pollutants, which are likely to be present in the stormwater discharge.

5. Spills and Leaks.

The permittee shall clearly identify areas where potential spills and leaks, which can contribute pollutants to stormwater discharges, can occur, and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the facility to be covered under this permit, the permittee must provide a list of spills and leaks of toxic or hazardous pollutants that occurred during the three (3) year period prior to the date of the submission of a Notice of Intent (NOI). The list must be updated if spills or leaks occur in exposed areas of the facility during the time the permittee is covered by this permit.

Spills and leaks include, but are not limited to releases of oil or hazardous substances in excess of quantities that are reportable under CWA §311 (see 40 CFR 110.10 and 40 CFR 117.21), section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or 38 M.R.S.A. §§ 543, 550 and 1318-B. Spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

6. Sampling Data.

The permittee shall provide a summary of existing stormwater discharge sampling data taken at the facility. All stormwater sampling data associated with effluent guidelines collected during the term of this permit must also be annually summarized and included in this part of the SWPPP as an update.

7. Stormwater Controls.

a. *Description of Existing and Planned BMPs*. Describe the type and location of existing non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to stormwater. All the areas identified in Part IV(F)(4) must have a BMP(s) identified for the area's discharges. For areas where BMPs are not currently in place, describe appropriate BMPs that the permittee will use to control pollutants in stormwater discharges. The SWPPP must include a schedule for the implementation of all proposed BMPs. Selection of BMPs must take into consideration:

i. The quantity and nature of the pollutants, and their potential to impact the water quality of receiving waters;

ii. Opportunities to combine the dual purposes of water quality protection and local flood control benefits (including physical impacts of high flows on streams - e.g., bank erosion, impairment of aquatic habitat, etc.); and

iii. Opportunities to offset the impact of impervious areas of the facility on dry weather flows and low flows in local streams.

b. *BMP Types to be Considered*. The following types of structural, non-structural and other BMPs must be considered for implementation at the facility. Describe how each is, or will be, implemented. This requirement may have been fulfilled with the area-specific BMPs identified under Part IV(F)(7)(a), in which case the previous description is sufficient. However, many of the following BMPs may be more generalized or non site-specific and therefore not previously considered. If the permittee determines that any of these BMPs are not appropriate for the facility, an explanation of why they are not appropriate must be included. The BMP examples listed below are not intended to be an exclusive list of BMPs that the permittee may use. The permittee is encouraged to keep abreast of new BMPs or new applications of existing BMPs to find the most cost effective means of permit compliance for the facility. If BMPs are being used or planned at the facility which are not listed here (e.g., replacing a chemical with a less toxic alternative, adopting a new or innovative BMP, etc.), include descriptions of them in this section of the SWPPP.

i. <u>Non-Structural BMPs.</u>

Good Housekeeping: The permittee must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to stormwater discharges. Common problem areas include: around trash containers, storage areas and loading docks. Measures must also include: a schedule for regular pickup and disposal of garbage and waste materials; routine inspections for leaks and conditions of drums, tanks and containers as well as regular sweeping of impervious areas.

Minimizing Exposure: Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff. NOTE: Eliminating exposure at **all** industrial areas may make the facility eligible for the "No Exposure" exclusion from needing to have a permit.

Preventive Maintenance: The permittee must have a preventive maintenance program which includes timely inspection and maintenance of stormwater management devices, (e.g., cleaning oil/water separators, catch basins) as well as inspecting, testing, maintaining and repairing facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

Spill Prevention and Response Procedures: The permittee must describe the procedures that will be followed for cleaning up spills or leaks. Those procedures, and necessary spill response equipment, must be made available to those employees that may cause or detect a spill or leak. Where appropriate, the permittee must explain existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), which are intended to minimize spills or leaks at the facility. Measures for cleaning up hazardous material spills or leaks must be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265.

Employee Training: The permittee shall describe the stormwater employee training program for the facility. The description must include the topics to be covered, such as spill response, good housekeeping and material management practices, and must identify periodic dates (e.g., every 6 months during the months of July and January) for such training. The permittee shall provide employee training for all employees that work in areas where industrial materials or activities are exposed to stormwater, and for employees that are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance people). The employee training must inform them of the components and goals of the SWPPP.

ii. <u>Structural BMPs.</u>

Sediment and Erosion Control: The permittee shall identify the areas at the facility which, due to topography, land disturbance (e.g., construction), or other factors, have a potential for significant soil erosion. The permittee must describe the structural, vegetative, and/or stabilization BMPs that the permittee will be implementing to limit erosion.
NOTE: The Department has guidance materials available including Best Management Practice Manuals that may aid a person in completing these requirements.

*Management of Runoff***:** The permittee shall describe the stormwater management practices (permanent structural BMPs other than those which control the generation or source(s) of pollutants) that currently exist or that are planned for the facility. These types of BMPs typically are used to divert, filter, reuse, or otherwise reduce pollutants in stormwater discharges from the site. All BMPs that the permittee determines are reasonable and appropriate, or are required by a State or local authority; or are necessary to maintain eligibility for the permit (see Part I(B)(3) - Limitations on Coverage) must be implemented and maintained. Factors to consider when the permittee is selecting appropriate BMPs should include: 1) the industrial materials and activities that are exposed to stormwater, and the associated pollutant potential of those materials and activities; and 2) the beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. Structural measures should be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural BMPs may require a separate permit pursuant to the Natural Resources Protection Act ("NRPA") before installation begins.

Example BMPs: BMPs the permittee may use include but are not limited to: stormwater detention structures (including wet ponds); stormwater retention structures, including bio-retention areas; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices).

If the standards in Chapter 500, Appendix D or other General Permit are not met, a waste discharge permit is required for discharges to groundwater.

iii. Other Controls.

No solid materials, including floatable debris, may be discharged to waters of the State, except as authorized by a permit issued under section 404 of the CWA. Off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust must be minimized. Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas must be minimized. Velocity dissipation devices must be placed at discharge locations and along the length of any outfall channel if they are necessary to provide a non-erosive flow velocity from the structure to a water course.

G. Maintenance.

All BMPs the permittee identifies in the SWPPP must be maintained in effective operating condition. If site inspections required by Part IV(K) identify BMPs that are not operating effectively, maintenance must be performed before the next anticipated storm

event, or as necessary to maintain the continued effectiveness of stormwater controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable. The Department will take into account the size and cost of the project, the need to obtain supplies, construction timeframes, weather, the amount of pollution discharged and the condition of receiving waters. In the case of non-structural BMPs, the effectiveness of the BMP must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.).

H. Non-Stormwater Discharges.

1. Allowable Non-Stormwater Discharges.

a. Certain sources of non-stormwater are allowable under this permit (see Part I(B)(2) - Allowable Non-Stormwater Discharges). In order for these discharges to be allowed, the SWPPP must include:

i. Identification of each allowable non-stormwater source;

ii. The location where it is likely to be discharged; and

iii. Descriptions of appropriate BMPs for each source.

b. Except for flows from fire fighting activities, the permittee must identify in the SWPPP all sources of allowable non-stormwater that are discharged under the authority of this permit.

c. If the permittee includes mist blown from cooling towers amongst the allowable non-stormwater discharges, the permittee must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower and determine that the levels of such chemicals in the discharges would not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs the permittee has selected to control such discharges.

J. Applicable State or local Plans.

The SWPPP must be consistent (and updated as necessary to remain consistent) with applicable State and/or local stormwater, waste disposal, sanitary sewer or septic system regulations to the extent these apply to the facility and are more stringent than the requirements of this permit.

K. Comprehensive Site Compliance Evaluation.

1. Frequency of Inspections

The permittee must conduct facility inspections at least four (4) times a year. These inspections must be evenly spaced with a minimum of sixty (60) days between facility inspections. The inspections must be done by qualified personnel provided by the permittee. The qualified personnel the permittee uses may be either the facility's employees or outside consultants that the permittee has hired, provided they are knowledgeable and possess the skills to assess conditions

at the facility that could impact stormwater quality and assess the effectiveness of the BMPs the permittee has chosen to use to control the quality of the stormwater discharges. These inspections may be conducted in conjunction with Part (V)(A)(1), Quarterly Visual Monitoring, or conducted separately. If the permittee decides to conduct more frequent inspections, the SWPPP must specify the frequency of inspections.

2. Scope of the Compliance Evaluation.

The inspections must include all areas where industrial materials or activities are exposed to stormwater, as identified in Part IV(F)(4), and areas where spills and leaks have occurred within the past 3 years. Inspectors must look for: a) industrial materials, residue or trash on the ground that could contaminate or be washed away in stormwater; b) leaks or spills from industrial equipment, drums, barrels, tanks or similar containers; c) offsite tracking of industrial materials or sediment where vehicles enter or exit the site; d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas; and e) for evidence of, or the potential for, pollutants entering the drainage system. Results of both visual and any analytical monitoring done during the year must be taken into consideration during the evaluation. Stormwater BMPs identified in the SWPPP must be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they must be inspected to see whether BMPs are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations must be inspected if possible.

3. Follow-up Actions.

Based on the results of the inspection, the permittee must modify the SWPPP as necessary (e.g., to show additional controls on map required by Part IV(F)(2)(b); revise description of controls required by Part IV(F)(7) to include additional or modified BMPs to correct problems identified). The permittee must complete revisions to the SWPPP and implement non-structural BMPs within 60 calendar days following the inspection. If existing structural BMPs need to be modified or if additional structural BMPs are necessary, implementation must be completed before the next anticipated storm event, if practicable, but not more than twelve (12) weeks after completion of the comprehensive site evaluation. Notwithstanding the timeframes described above, the Department reserves the right to take appropriate enforcement actions for unpermitted discharges and non-compliance with the requirements of this permit.

4. Compliance Evaluation Report.

The permittee must ensure a report summarizing the scope of the inspection, name(s) or positions of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP is completed and retained as part of the SWPPP for at least three (3) years from the date permit coverage expires or is terminated. Major observations must include, but are not limited to: the location(s) of discharges of pollutants from the site; location(s) of BMPs that need to be maintained; location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location; and

location(s) where additional BMPs are needed that did not exist at the time of inspection. The permittee must retain a record of actions taken in accordance with Part IV(L) of this permit as part of the SWPPP for at least three (3) years from the date that permit coverage expires or is terminated. The inspection reports must identify any incidents of non-compliance. Where an inspection report does not identify any incidents of non-compliance, the report must contain a certification that the facility is in compliance with the SWPPP and this permit. Both the inspection report and any reports of follow-up actions must be signed in accordance with Part VII(E) (reporting) of this permit.

L. Maintaining Updated SWPPP.

The permittee must amend the SWPPP whenever:

1. There is a change in design, construction, operation, or maintenance at the facility that has a significant effect on the discharge, or potential for discharge, of pollutants from the facility;

2. During inspections, monitoring, or investigations by the permittee or by local, State, or Federal officials it is determined the SWPPP is ineffective in eliminating or significantly minimizing pollutants from sources identified under Part IV(F)(4), or is otherwise not achieving the general objectives of controlling pollutants in discharges from the facility; and

3. A discharge authorized under this permit that is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, after notification by the Department. The SWPPP must document actions necessary to ensure future discharges do not cause or contribute to the violation of a water quality standard.

M. Signature, Plan Review and Making Plans Available.

1. The SWPPP must be signed in accordance with Part VII(E), and retained on-site at the facility covered by this permit (see Part II(D) for records retention requirements).

2. The permittee shall keep a copy of the SWPPP on-site or locally available to the Department for review at the time of an on-site inspection. The permittee shall make the SWPPP available upon request to the Department, a Federal, State, or local agency approving stormwater management plans, or the owner(s) or operator(s) of a municipal separate storm sewer receiving discharge from the site. Also, in the interest of the public's right to know, the permittee shall provide a copy of the SWPPP to the public if requested in writing to do so.

3. The Department may notify the permittee during or after site inspections that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification will identify provisions of this permit which are not being met, as well as the required modifications. Within sixty (60) calendar days of receipt of such notification, the permittee must make the required changes to the SWPPP and notify the Department when these changes have been made.

N. Additional Requirements for SARA Title III Facilities.

Potential pollutant sources for which the permittee has reporting requirements under EPCRA 313 must be identified in the summary of potential pollutant sources as per Part IV(F)(4). Note this additional requirement only applies to the permittee if the permittee is subject to reporting requirements under EPCRA 313**.**

O. Additional Requirements for Salt Storage Piles. If storage piles of salt used for deicing or other commercial or industrial purposes are located at the facility, they must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile).

NOTE: For additional requirements for road salt and sand and salt storage see 06-096 CMR 574, and 38 M.R.S.A. §413(2-D).

Part V. MONITORING REQUIREMENTS AND NUMERIC LIMITATIONS

The monitoring requirements and numeric limitations applicable to the facility depend on the types of industrial activities generating stormwater runoff from the facility. Part II(B) identifies monitoring requirements applicable to specific sectors of industrial activity. **The permittee must review Parts II and V of this permit to determine which monitoring requirements and numeric limitations apply to the facility.** Unless otherwise specified, limitations and monitoring requirements under Parts II and V are additive.

Sector-specific monitoring requirements and limitations are applied discharge by discharge at facilities with co-located activities. Where stormwater from the co-located activities is mixed, the monitoring requirements and limitations are additive. Where more than one numeric limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required.

During permit year one (1), Maine DEP will issue guidelines, including standard operating procedures (SOPs) and documentation requirements, related to mandatory quarterly visual monitoring and effluent guidelines in Part II(B) and appendices A, C, D, E, J, K, L, and O. The purpose of these guidelines is to assure the quality of observational reports and effluent data. Facility owner(s) or operator(s) will be required to follow the guidelines and procedures in fulfilling the monitoring requirements of Parts V and VI of this General Permit.

In addition to the guidelines and SOPs required for visual monitoring, facilities subject to effluent guidelines that are required to collect effluent samples for laboratory analysis, the Department will issue additional guidelines and SOP's. During compliance inspections, facility staff may be asked to demonstrate correct implementation of the guidelines and procedures.

A. Types of Monitoring Requirements and Limitations.

1. Quarterly Visual Monitoring.

The requirements and procedures for quarterly visual monitoring are applicable to all facilities covered under this permit, regardless of the facility's sector of industrial activity.

a. The permittee must perform and document a quarterly visual examination of a stormwater discharge associated with industrial activity from each outfall, except discharges exempted below. The visual examination must

be made during daylight hours (e.g., normal working hours). If no storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided the permittee documents in the monitoring records that no runoff occurred. The permittee must sign and certify the documentation in accordance with Part VII(E).

b. The visual examinations must be made of samples collected within the first sixty (60) minutes (or as soon thereafter as practicable, but not to exceed 2.25 hours) of when the runoff or snowmelt begins discharging from the facility. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples must be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if the permittee is able to document that less than a 72-hour interval is representative for local storm events during the sampling period. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term. If no qualifying storm event resulted in runoff from the facility during a monitoring quarter, the permittee is excused from visual monitoring for that quarter provided the permittee documents in the monitoring records that no qualifying storm event occurred that resulted in stormwater runoff during that quarter. The permittee must sign and certify the documentation in accordance with Part VII(E).

c. The permittee must maintain the visual examination reports onsite with the SWPPP. The report must include the examination date and time, examination personnel, the nature of the discharge (i.e., rain runoff or snow melt), visual quality of the stormwater discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution), and probable sources of any observed stormwater contamination.

2. Coal Pile Runoff.

a. If the facility has discharges of stormwater from coal storage piles, the permittee must comply with the limitations and monitoring requirements of Table 2 for all discharges containing the coal pile runoff, regardless of the facility's sector of industrial activity.

b. The permittee must not dilute coal pile runoff with stormwater or other flows in order to meet this limitation.

c. If the facility is designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event,

any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.

d. The permittee shall collect and analyze the samples in accordance with Parts V(B)(2). Results of the testing must be retained and reported in accordance with Part II(D), VII(L) and VII(R).

3. Compliance Monitoring for Discharges Subject to Numerical Effluent Limitation Guidelines.

The appropriate sector of the Appendix of the permit identifies stormwater discharges subject to effluent limitation guidelines that are authorized for coverage under the permit. Facilities subject to stormwater effluent limitation guidelines are required to monitor such discharges to evaluate compliance with numerical effluent limitations. Industry-specific numerical limitations and compliance monitoring requirements are described in Part VI of the permit.

B. Monitoring Instructions.

1. Monitoring Periods.

If the permittee is required to conduct monitoring on an annual basis, the permittee must collect the samples within the following time periods (unless otherwise specified in Part VI):

- the monitoring year is from October 1 to September 30

- if the permit coverage was effective less than sixty (60) days from the end of the yearly monitoring period, the first monitoring period starts with the next respective monitoring period. (e.g., if permit coverage begins August 5th, the permittee would not need to start annual monitoring until the October - September year)

2. Collection and Analysis of Samples.

The permittee must assess the sampling requirements on an outfall by outfall basis. The permittee must collect and analyze the samples in accordance with the requirements of Part VII(L).

a. *Sample Procedures*. Take a minimum of one grab sample from the discharge associated with industrial activity resulting from a storm event with at least 0.1 inch of precipitation (defined as a "measurable" event), providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived when the preceding measurable storm did not yield a measurable discharge, or if the permittee is able to document that less than a 72-hour interval is representative for local storm events during the sampling period.

Take the grab sample during the first sixty (60) minutes of the discharge. Ideally samples should be acquired during the first thirty (30) minutes of discharge. If it is not practicable to take the sample during the first 30

minutes, sample during the first hour of discharge and describe why a grab sample during the first 30 minutes was impracticable. Submit this information on or with a discharge monitoring report (see Part II(C)(1)). If the sampled discharge commingles with process or non-process water, attempt to sample the stormwater discharge before it mixes with the non-stormwater.

To get help with monitoring, consult EPA's *Guidance Manual for the Monitoring and Reporting Requirements of the NPDES Stormwater MSGP* available at: http://www.epa.gov/npdes/pubs/dmr-fin.pdf

3. Representative Outfalls - Essential Identical Discharges.

If the facility has two (2) or more outfalls that the permittee believes discharge substantially identical effluents, based on similarities of the industrial activities, significant materials or stormwater management practices occurring within the outfalls' drainage areas, the permittee may test the effluent of just one of the outfalls during that sampling period, provided that subsequent samples are taken from a different substantially identical outfall(s) during each successive monitoring period, and report that the quantitative data also applies to the substantially identical outfall(s). For this to be permissible, the permittee must describe in the SWPPP and include the following: locations of the outfalls; why the outfalls are expected to discharge substantially identical effluents; estimates of the size of the drainage area (in square feet) for each of the outfalls; and an estimate of the runoff coefficient of the drainage areas (low: under 40 percent; medium: 40 to 65 percent; high: above 65 percent).

C. General Monitoring Waivers. Unless specifically stated otherwise, the following waivers may be applied to any monitoring required under this permit.

1. Adverse Climatic Conditions Waiver

When adverse weather conditions prevent the collection of samples, take a substitute sample during a qualifying storm event in the next monitoring period, or four samples per monitoring year when weather conditions do not allow for samples to be spaced evenly with a minimum of sixty (60) days between sampling events during the year. Adverse conditions (i.e., those which are dangerous or create inaccessibility for personnel) may include such things as local flooding, high winds, electrical storms, or situations which otherwise make sampling impracticable such as drought or extended frozen conditions.

D. Monitoring Required by the Department.

The Department may provide written notice to any facility, including those otherwise exempt from the sampling requirements of Parts V and VI, requiring discharge sampling for a specific monitoring frequency for specific parameters. Any such notice will briefly state the reasons for the monitoring, parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

E. Reporting Monitoring Results.

Deadlines and procedures for submitting monitoring reports are contained in Part II(C).

Part VI. SECTOR-SPECIFIC REQUIREMENTS FOR INDUSTRIAL ACTIVITY

The permittee needs to comply with the additional requirements of Part VI that apply to the Sector(s) of Industrial Activity at the facility. These sector-specific requirements are in addition to the "basic" requirements specified in Parts I-V and the General Permit Requirements in Part VII of this permit. Sector specific requirements may be found in appendices A-AD

Part VII. GENERAL REQUIREMENTS

A. Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance may constitute a violation of Maine's water quality laws, General Laws, and the federal Clean Water Act and opens the discharger to penalties under 38 M.R.S.A. § 349, and § 309 of the Clean Water Act and is grounds for enforcement action. Enforcement action may include termination of authorization to discharge under the General Permit, requirement that certain actions be taken in order to continue coverage, denial of re-authorization, penalties, or other action.

1. The permittee shall comply with effluent standards or prohibitions established under section 307 (a) of the Clean Water Act, and 38 M.R.S.A., § 420 or Chapter 530.5 for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
2. Any person who violates any provision of the laws administered by the Department, including without limitation, a violation of the terms of any order, rule, license, permit, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 M.R.S.A.§ 349.

B. Continuation of the Expired General Permit. Provided the permittee has reapplied in accordance with paragraph C of this Part, an expired General Permit continues in force and effect until a new General Permit is issued. Only those facilities previously authorized to discharge under the expired permit are covered by the continued permit.

C. Duty to Reapply. If the permittee wishes to continue an activity regulated by this General Permit after the expiration date of this General Permit, the permittee must apply for and obtain coverage under a new permit.

D. Other applicable conditions. The conditions in 06-096 CMR 523(2), also apply to discharges pursuant to this General Permit and are incorporated herein as if fully set forth. These conditions address areas such as: duty to comply; need to reduce or halt activity not a defense; duty to mitigate; permit actions; property rights; duty to provide information; and inspection and entry.

E. Signatory Requirements. All Notices of Intent, SWPPPs, reports, certifications or information either submitted to the Department, or that this permit requires to be maintained by the permittee, shall be signed and certified in accordance with 06-096 CMR 521(5).

F. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA. 38 M.R.S.A. § 543, 550, and 1318-B.

G. Release in Excess of Reportable Quantities. If a release in excess of reportable quantities occurs, the permittee must notify the Department immediately. This permit does not relieve the permittee of the reporting requirements of 40 CFR 117, 40 CFR 302 and 38 M.R.S.A. § 543, 550 and 1318-B. The discharge of hazardous substances in the stormwater discharge(s) from a facility shall be minimized in accordance with the applicable SWPPP for the facility, and in no case, during any 24-hour period, shall the discharge(s) contain a hazardous substance equal to or in excess of reportable quantities.

H. Severability. The conditions of this General Permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

I. Transfers of Permit. This permit is not transferable to any person except after notice to the Department and approval.

J. State Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law.

K. Proper Operations and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of SWPPPs. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operations of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

L. Monitoring and Records.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the discharge over the sampling and reporting period.

2. The permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings from continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date that the facility's coverage under this General Permit expires or is terminated. This period may be extended by request of the Department at any time.

3. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.

4. Monitoring must be conducted according to test procedures approved under 40 CFR 136 and applicable Maine regulations, unless other test procedures have been specified in this permit.

M. Bypass of Stormwater Control Facilities

1. *Anticipated Bypass.* If the permittee knows in advance of the need for a bypass, he or she shall notify this Department in writing at least ten days prior to the date of the bypass. Such notice shall include the anticipated quantity and the anticipated effect of the bypass.

2. *Unanticipated Bypass.* The permittee shall submit notice of an unanticipated bypass. Any information regarding the unanticipated bypass shall be provided orally within 24 hours from the time the permittee became aware of the circumstances. A written submission shall also be provided within five (5) days of the time the permittee became aware of the bypass. The written submission shall contain a description of the bypass and its cause; the period of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass.

3. *Prohibition of Bypass.*

a. Bypass is prohibited and enforcement action against the permittee may be taken for the bypass unless:

i. The bypass was unavoidable to prevent loss of life, personal injury or severe property damage;

ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

iii. The permittee submitted notices as required in paragraphs VII(M)(1) and VI(M)(2) above[5].

b. The Department may approve an anticipated bypass after considering its adverse effects, if the Department determines that it will meet the three conditions of paragraph VII(M)(3) above.

N. Upset Conditions.

1. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

[5] See 06-096CMR 523(2)(m).

2. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part VII(N)(3) of this permit are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

3 Conditions necessary for a demonstration of upset. A permittee who wishes to establish an affirmative defense of an upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

a. An upset occurred and the permittee can identify the specific causes(s) of the upset;
b. The permitted facility was at the time being properly operated; and
c. The permittee submitted notice of the upset within 24 hours.[6]
d. The permittee complied with any remedial measures required.[7]

4. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

O. Inspection and Entry. Employees and agents of the Department may enter any property at reasonable hours in order to determine compliance.[8]

P. Reopener. This permit may be modified or reopened as provided in 38 M.R.S.A. § 414-A(5).

Q. Requiring an Individual Permit or an Alternative General Permit.

1. The Department may require any owner(s) or operator(s) authorized to discharge stormwater under this permit to apply for and obtain either an individual MEPDES permit or an alternative General Permit. Any interested person may petition the Department to take action under this paragraph.

2. Any owner(s) or operator(s) authorized to discharge stormwater by this permit may request to be excluded from coverage of this permit by applying for an individual permit. The request may be granted by issuance of an individual permit.

3. If a facility requests or is required to obtain coverage under an individual permit, then authorization to discharge stormwater under this permit shall automatically be terminated on the date of issuance of the individual permit. Until such time as an alternative permit is issued, the existing General Permit remains fully in force.

R. Availability of Reports. Except for data determined to be confidential under Part VII(S) below, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the DEP at 28 Tyson Drive, Augusta Maine. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in penalties including the possibility of fine and

[6] See 06-096CMR 529 § (2)(n)
[7] ID
[8] See 38 M.R.S.A. §347-C(in part).

imprisonment.

S. Confidentiality of Information.

1. Any information submitted to the Department pursuant to these regulations may be claimed as confidential by the submittee. Any such claim must be asserted at the time of the submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the Department may make the information available to the public without further notice.

2. A claim of confidentiality will be denied unless the department determines that the information may be withheld in accordance with 38 M.RS.A. 414 (6), Confidentiality of records, and 38 M.R.S.A. 401 et. seq., Freedom of Access.:

T. Right to Appeal. All final license or permit decisions made by the commissioner may be appealed to the Board of Environmental Protection pursuant to Title 38, § 341-D(4).

U. Notice Required. Prior to discharging under the terms of a General Permit, a person must file with the Department an initial Notice of Intent (NOI) for coverage on a form provided by the Department for the specific discharge category. A copy of the initial NOI form shall be provided by the applicant to the municipal office of the town or city, or the county commissioners in the case of unorganized territory in which the discharge will occur at the time it is submitted to the Department. A check for the appropriate fee amount must accompany each NOI in order for the application for coverage under the General Permit to be considered complete.

V. Effective Date of Coverage. The Department must notify an applicant for coverage under a General Permit within 14 days of receipt of each complete NOI as to whether or not coverage for the specific discharge is accepted. If the Department does not notify the applicant within 14 days, the NOI is deemed to be accepted and coverage is granted. In the event coverage is not granted, the Department shall notify the applicant of the reasons for not granting coverage. Discharges not acceptable for General Permit coverage may apply for issuance of an individual discharge permit.

W. Continuing Coverage. Coverage under an existing General Permit will be continued upon payment of an applicable annual fee, provided there are no changes in the discharge as described in the NOI. If changes occur or are proposed, the person having filed the NOI must notify the Department, as specified in the General Permit, persons wishing to continue coverage must so notify the Department.

X. Transfers of Ownership. In the event that the ownership of a discharge is transferred to a new owner(s) or operator(s), coverage under a General Permit may be transferred by notifying the Department in writing, provided the new owner(s) or operator(s) proposes no changes in the discharge. If changes in the discharge are proposed, a new NOI must be filed.

Y. General Restrictions. A discharge covered by a General Permit may not:

1. Be to a body of water classified as Class GPA, AA, A or SA;[9]
2. Be to a body of water having a drainage area of less than 10 square miles;[10]
3. Contain any pollutant, including toxic substances, in quantities or concentrations which may cause or contribute to any adverse impact on the receiving water;
4. Be to a receiving water which is not meeting its classification standard for any characteristic which may be affected by the discharge; or
5. Impart color, taste, turbidity, radioactivity, settleable materials, floating substances, or other properties that cause the receiving water to be unsuitable for the designated uses ascribed to its classification.

Z. Sampling and Test Procedures. Where a General Permit requires sampling and testing of an effluent of other waste stream, all samples and measurements shall be representative of the volume and nature or the activity being monitored. The sampling, preservation, handling and analytical methods used must conform with Standard Methods for the Examination of Water and Waste Water, American Public Health Association, Washington D.C., latest approved edition or methods referenced in 40 CFR Part 136. However, different but equivalent methods are allowable if they receive prior written approval from the Department.

AA. Monitoring Requirements. In addition to monitoring required by the conditions of specific General Permit, the Department may require additional monitoring of an individual discharge as may be reasonably necessary in order to characterize the nature, volume or other attributes of that discharge or its sources.

BB. Removed Substances. Solids, sludges, filter backwash or other pollutants removed or resulting from the treatment of wastewaters shall be disposed of in a manner approved by the Department.

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Part VIII. DEFINITIONS

The following terms have the following meanings when used in this General Permit.

Note: Additional definitions are found in 06-096 CMR 520 and in the waste discharge and classification laws, and also is the Sector specific Appendices.

A. Department. "Department" means the State of Maine Department of Environmental Protection.

B. Co-located activities. "Co-located activities" means a facility which has operations and activities which meet the description of more than one sector at the same location.

C. Direct discharge. "Direct discharge" or "point source" means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel,

[9] The rule provisions in 06-096 CMR 529(e)(1), which specify "Terms and Conditions Applicable to ALL General Permits" (effective January 12, 2001) prohibit stormwater discharges to Class GPA, AA, A or SA waters, or to a body of water having a drainage area of less than 10 square miles as of the date of issuance of this General Permit. However, the statutory provisions from which the rule provisions were derived were amended since the rules were adopted to remove the prohibition on stormwater discharges to these waters if the discharges are in compliance with state and local requirements. The statutory provisions control for purposes of this General Permit. For the applicable statutory provisions, see 38 MRSA 464(4)(A)(1), 465(1)(C)(1), 465(2)(C)(1), and 465-B(1)(C).

[10] Id.

conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which pollutants are or may be discharged."

D. Industrial Activity. "Industrial Activity" means the discharge from any conveyance that is used for collecting and conveying stormwater and is directly related to manufacturing, processing or raw material storage areas at an industrial plant. See activities listed in Appendices A-AD.

E. No Exposure. "No Exposure" means that industrial activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff.

F. Notice of Intent ("NOI"). "Notice of Intent" or "NOI" means a notification of intent to seek coverage under this General Permit made by the applicant to the Department on a form provided by the Department.

G. Notice of Termination ("NOT"). "Notice of Termination" or "NOT" means a notification of intent to end coverage under this General Permit on a form provided by the Department.

H. Person**.** "Person" means an individual, firm, corporation, municipality, quasi-municipal corporation, state agency, federal agency or other legal entity.

I. Primarily Engaged. "Primarily engaged" means the activity which generates the greatest revenue or has the greatest number of employees.

J. Owner or operator. "Owner or operator" means the owner or operator of any "facility or activity" subject to regulation under the NPDES program. In the case of a publicly owned facility or activity, the owner must be included as a licensee in any permit issued under the State NPDES program.

K. Permittee**.** "Permittee" means the entity that is covered under this General Permit for discharge of stormwater.

L. Stormwater**.** "Stormwater" means storm water runoff, snow melt runoff, and surface runoff and drainage. "Stormwater" has the same meaning as "storm water".

Table 1. Sectors of Industrial Activity Covered By this Permit	
SIC Code or Activity Code[1]	**Activity Represented**
SECTOR A: TIMBER PRODUCTS	
2411	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs)
2421	General Sawmills and Planing Mills
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood(see Sector W)
2448,2449	Wood Containers
2451,2452	Wood Buildings and Mobile Homes
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified
SECTOR B: PAPER AND ALLIED PRODUCTS	
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652-2657	Paperboard Containers and Boxes
2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
SECTOR C: CHEMICAL AND ALLIED PRODUCTS	
2812-2819	Industrial Inorganic Chemicals
2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
2833 -2836	Medicinal chemicals and botanical products; pharmaceutical preparations,; in vitro and in vivo diagnostic substances; biological products, except diagnostic substances
2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2861-2869	Industrial Organic Chemicals
2873-2879	Agricultural Chemicals
2873	Facilities that Make Fertilizer Solely from Leather Scraps and Leather Dust
2891-2899	Miscellaneous Chemical Products
3952 (limited to list)	Inks and Paints, Including China Painting Enamels, Indian Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors
SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS	
2951,2952	Asphalt Paving and Roofing Materials
2992,2999	Miscellaneous Products of Petroleum and Coal

Table 1. Sectors of Industrial Activity Covered By this Permit	
SIC Code or Activity Code[1]	**Activity Represented**
SECTOR E: GLASS CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS	
3211	Flat Glass
3221,3229	Glass and Glassware, Pressed or Blown
3231	Glass Products Made of Purchased Glass
3241	Hydraulic Cement
3251-3259	Structural Clay Products
3261-3269	Pottery and Related Products
3271-3275	Concrete, Gypsum and Plaster Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
SECTOR F: PRIMARY METALS	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
3321-3325	Iron and Steel Foundries
3331-3339	Primary Smelting and Refining of Nonferrous Metals
3341	Secondary Smelting and Refining of Nonferrous Metals
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363-3369	Nonferrous Foundries (Castings)
3398,3399	Miscellaneous Primary Metal Products
SECTOR G: METAL MINING (ORE MINING AND DRESSING)	
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041,1044	Gold and Silver Ores
1061	Ferroalloy Ores, Except Vanadium
1081	Metal Mining Services
1094,1099	Miscellaneous Metal Ores
SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES	
1221-1241	Coal Mines and Coal Mining-Related Facilities
SECTOR I: OIL AND GAS EXTRACTION AND REFINING	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381-1389	Oil and Gas Field Services
2911	Petroleum Refineries
SECTOR J: MINERAL MINING AND DRESSING	
1411	Dimension Stone
1422-1429	Crushed and Broken Stone, Including Rip Rap
1442,1446	Sand and Gravel
1455,1459	Clay, Ceramic, and Refractory Materials
1474-1479	Chemical and Fertilizer Mineral Mining
1481	Nonmetallic Minerals Services, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels
SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES	
HZ	Hazardous Waste Treatment Storage or Disposal

Table 1. Sectors of Industrial Activity Covered By this Permit	
SIC Code or Activity Code[1]	**Activity Represented**
SECTOR L: LANDFILLS AND LAND APPLICATION SITES	
LF	Landfills, Land Application Sites , and Open Dumps
SECTOR M: AUTOMOBILE SALVAGE YARDS	
5015	Automobile Salvage Yards
SECTOR N: SCRAP RECYCLING FACILITIES	
5093	Scrap Recycling Facilities
SECTOR O: STEAM ELECTRIC GENERATING FACILITIES	
SE	Steam Electric Generating Facilities
SECTOR P: LAND TRANSPORTATION AND WAREHOUSING	
4011,4013	Railroad Transportation
4111-4173	Local and Highway Passenger Transportation
4212-4231	Motor Freight Transportation and Warehousing
4311	United States Postal Service
5171	Petroleum Bulk Stations and Terminals
SECTOR Q: WATER TRANSPORTATION	
4412-4499	Water Transportation
SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS	
3731,3732	Ship and Boat Building or Repairing Yards
SECTOR S: AIR TRANSPORTATION	
4512-4581	Air Transportation Facilities
SECTOR T: TREATMENT WORKS	
TW	Treatment Works
SECTOR U: FOOD AND KINDRED PRODUCTS	
2011-2015	Meat Products
2021-2026	Dairy Products
2032	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
2041-2048	Grain Mill Products
2051-2053	Bakery Products
2061-2068	Sugar and Confectionery Products
2074-2079	Fats and Oils
2082-2087	Beverages
2091-2099	Miscellaneous Food Preparations and Kindred Products
2111-2141	Tobacco Products
SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING, LEATHER AND LEATHER PRODUCTS	
2211-2299	Textile Mill Products
2311-2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials
3131-3199 (except 3111)	Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z)

Table 1. Sectors of Industrial Activity Covered By this Permit	
SIC Code or Activity Code[1]	**Activity Represented**
SECTOR W: FURNITURE AND FIXTURES	
2434	Wood Kitchen Cabinets
2511-2599	Furniture and Fixtures
SECTOR X: PRINTING AND PUBLISHING	
2711-2796	Printing, Publishing, and Allied Industries
SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES	
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052,3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastics Hose and Belting
3061,3069	Fabricated Rubber Products, Not Elsewhere Classified
3081-3089	Miscellaneous Plastics Products
3931	Musical Instruments
3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods
3951-3955 (except 3952 facilities as specified in Sector C)	Pens, Pencils, and Other Artists' Materials
3961,3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991-3999	Miscellaneous Manufacturing Industries
SECTOR Z: LEATHER TANNING AND FINISHING	
3111	Leather Tanning and Finishing
SECTOR AA: FABRICATED METAL PRODUCTS	
3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911-3915	Jewelry, Silverware, and Plated Ware
SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY	
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC)
3711-3799 (except 3731,3732)	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R)
SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS	
3571-3579	Computer and Office Equipment
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods
SECTOR AD: NON-CLASSIFIED FACILITIES	
N/A	Other stormwater discharges designated by the Department as needing a permit (see 40 CFR 122.26(g)(1)(I)) or any facility discharging stormwater associated with industrial activity

Table 1. Sectors of Industrial Activity Covered By this Permit	
SIC Code or Activity Code[1]	**Activity Represented**
	not described by any of Sectors A-AC. NOTE: Facilities may not elect to be covered under Sector AD. Only the Department may assign a facility to Sector AD.

[1] A complete list of SIC codes can be obtained from the internet at www.osha.gov/pls/imis/sicsearch.html?p_sic=2411&p_search= (and conversions from the newer North American Industry Classification System" (NAICS)) can be obtained from the Internet at www.census.gov/epcd/www/naics.html or in paper form from various locations in the document entitled "Handbook of Standard Industrial Classifications," Office of Management and Budget, 1987. Industrial activity codes are provided on the MSGP Notice of Intent (NOI) application form.

Co-located Activities. If the permittee has co-located industrial activities on-site that are described in a sector(s) other than the primary sector, the permittee must comply with all other applicable sector-specific conditions found in Part VI for the co-located industrial activities. The extra sector-specific requirements are applied only to those areas of the facility where the extra-sector activities occur. An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the stormwater regulations, and identified by this General Permit SIC code list. For example, unless the permittee is actually hauling substantial amounts of freight or materials with the facility's own truck fleet or are providing a trucking service to outsiders, simple maintenance of vehicles used at the facility is unlikely to meet the SIC code group 42 description of a motor freight transportation facility. Even though Sector P may not apply, the runoff from the vehicle maintenance facility would likely still be considered stormwater associated with industrial activity. As such, the SWPPP must still address the runoff from the vehicle maintenance facility—although not necessarily with the same degree of detail as required by Sector P—but the permittee would not be required to monitor as per Sector P .

A. Sector A - Timber Products.

1. Covered Stormwater Discharges.

The requirements in Part VI for Sector A apply to stormwater discharges associated with industrial activity from Timber Products facilities as identified by the SIC Codes specified below.

SECTOR A: TIMBER PRODUCTS	
2411	Log Storage and Handling (Wet deck storage areas only authorized if no chemical additives are used in the spray water or applied to the logs)
2421	General Sawmills and Planing Mills
2426	Hardwood Dimension and Flooring Mills
2429	Special Product Sawmills, Not Elsewhere Classified
2431-2439 (except 2434)	Millwork, Veneer, Plywood, and Structural Wood(see Sector W)
2448, 2449	Wood Containers
2451, 2452	Wood Buildings and Mobile Homes
2491	Wood Preserving
2493	Reconstituted Wood Products
2499	Wood Products, Not Elsewhere Classified

2. Industrial Activities Covered by Sector A.

The types of activities that permittees under Sector A are primarily engaged in are:

a. cutting timber and pulpwood (those that have log storage or handling areas);

b. mills, including merchant, lath, shingle, cooperage stock, planing, plywood and veneer;

c. producing lumber and wood basic materials;

d. wood preserving;

e. manufacturing finished articles made entirely of wood or related materials except wood kitchen cabinet manufacturers ;

f. manufacturing wood buildings or mobile homes.

3. Special Coverage Conditions.

a. *Prohibition of Discharges.* (See also Part I.B.3.)

Not covered by this permit: stormwater discharges from areas where there may be contact with the chemical formulations sprayed to provide surface protection. These discharges must be covered by a separate MEPDES permit.

b. *Authorized Non-Stormwater Discharges.*

(See also Part I.B.3) Also authorized by this permit, provided the non-stormwater component of the discharge is in compliance with SWPPP requirements in Part IV.F.7 (Controls): discharges from the spray down of lumber and wood product storage yards where no chemical additives are used in the spray down waters and no chemicals are applied to the wood during storage.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Also identify where any of the following may be exposed to precipitation / surface runoff: processing areas; treatment chemical storage areas; treated wood and residue storage areas; wet decking areas; dry decking areas; untreated wood and residue storage areas; and treatment equipment storage areas.

b. *Inventory of Exposed Materials.* (See also Part IV(F)(4)) Where such information exists, if the facility has used chlorophenolic, creosote or chromium-copper-arsenic formulations for wood surface protection or preserving, identify the following: areas where contaminated soils, treatment equipment and stored materials still remain, and the management practices employed to minimize the contact of these materials with stormwater runoff.

c. *Description of Stormwater Management Controls.* (See also Part IV(F)(7)). Describe and implement measures to address the following activities / sources: log, lumber and wood product storage areas; residue storage areas; loading and unloading areas; material handling areas; chemical storage areas; and equipment / vehicle maintenance, storage and repair areas. If the facility performs wood surface protection / preservation activities, address the specific BMPs for these activities.

d. *Good Housekeeping.* (See also Part IV(F)(7)(b)(i)). In areas where storage, loading / unloading and material handling occur, perform good housekeeping to limit the discharge of wood debris; minimize the leachate generated from decaying wood materials; and minimize the generation of dust

e. *Inspections.* (See also Part IV(F)(7)(b)(i)). If the facility performs wood surface protection / preservation activities, inspect processing areas, transport areas and treated wood storage areas monthly to assess the usefulness of practices to minimize the deposit of treatment chemicals on unprotected soils and in areas that will come in contact with stormwater discharges.

5. Monitoring and Reporting requirements. (See also Part V)

SECTOR A: TIMBER PRODUCTS- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code or Activity Code	**Subsector (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Numeric Limitation****
2411	Wet Decking Discharges at Log Storage and Handling Facilities	PH Debris (woody material such as bark, twigs, branches, heartwood, or sapwood)	6.0-9.0 s.u. No discharge of debris that will not pass through a 2.5 cm (1”) diameter round opening

B. Sector B. Paper and Allied Products Manufacturing.

1. Covered Stormwater Discharges.

The requirements in Part VI for Sector B apply to stormwater discharges associated with industrial activity from Paper and Allied Products Manufacturing facilities as identified by the SIC Codes below.

SECTOR B: PAPER AND ALLIED PRODUCTS	
2611	Pulp Mills
2621	Paper Mills
2631	Paperboard Mills
2652-2657	Paperboard Containers and Boxes
2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes

2. Industrial Activities Covered by Sector B.

The types of activities that permittees under Sector B are primarily engaged in are:

a. manufacture of pulps from wood and other cellulose fibers and from rags;

b. manufacture of paper and paperboard into converted products, i.e. paper coated off the paper machine, paper bags, paper boxes and envelopes;

c. manufacture of bags of plastic film and sheet

C. Sector C - Chemical and Allied Products Manufacturing.

1. Covered Stormwater Discharges.

The requirements in Part VI for Sector C apply to stormwater discharges associated with industrial activity from Chemical and Allied Products Manufacturing facilities as identified by the SIC Codes specified below.

SECTOR C: CHEMICAL AND ALLIED PRODUCTS	
2812-2819	Industrial Inorganic Chemicals
2821-2824	Plastic Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass
2833-2836	Medicinal chemicals and botanical products; pharmaceutical preparations; in vitro and in vivo diagnostic substances; biological products, except diagnostic substances
2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations
2851	Paints, Varnishes, Lacquers, Enamels and Allied Products
2861-2869	Industrial Organic Chemicals
2873-2879	Agricultural Chemicals
2873	Facilities that Make Fertilizer Solely from Leather Scraps and Leather Dust
2891-2899	Miscellaneous Chemical Products
3952 (limited to list)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors

2. Industrial Activities Covered by Sector C.

The requirements listed under this Part apply to stormwater discharges associated with industrial activity from a facility engaged in manufacturing the following products:

a. basic industrial inorganic chemicals;

b. plastic materials and synthetic resins, synthetic rubbers, and cellulosic and other human made fibers, except glass;

c. soap and other detergents, including facilities producing glycerin from vegetable and animal fats and oils; specialty cleaning, polishing and sanitation preparations; surface active preparations used as emulsifiers, wetting agents and finishing agents, including sulfonated oils; and perfumes, cosmetics and other toilet preparations;

d. paints (in paste and ready mixed form); varnishes; lacquers; enamels and shellac; putties, wood fillers, and sealers; paint and varnish removers; paint brush cleaners; and allied paint producers;

e. industrial organic chemicals;

f. industrial and household adhesives, glues, caulking compounds, sealants, and linoleum, tile and rubber cements from vegetable, animal or synthetic plastic materials; explosives; printing ink, including gravure, screen process and lithographic inks; miscellaneous chemical preparations such as fatty acids, essential oils, gelatin (except vegetable), sizes, bluing, laundry sours, writing and stamp pad ink, industrial compounds such as boiler and heat insulating compounds, and chemical supplies for foundries;

g. ink and paints, including china painting enamels, indian ink, drawing ink, platinum paints for burnt wood or leather work, paints for china painting, artists' paints and artists' water colors;

h. nitrogenous and phosphate basic fertilizers, mixed fertilizers, pesticides and other agricultural chemicals.

3. Limitations on Coverage.

a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3)) Not covered by this permit: non-stormwater discharges containing inks, paints or substances (hazardous, nonhazardous, etc.) resulting from an onsite spill, including materials collected in drip pans; washwater from material handling and processing areas; and washwater from drum, tank or container rinsing and cleaning.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Also identify where any of the following may be exposed to precipitation / surface runoff: processing and storage areas; access roads, rail cars and tracks; areas where substances are transferred in bulk; and operating machinery.

b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following sources and activities that have potential pollutants associated with them: loading, unloading and transfer of chemicals; outdoor storage of salt, pallets, coal, drums, containers, fuels, fueling stations; vehicle and equipment maintenance / cleaning areas; areas where the treatment, storage or disposal (on- or off-site) of waste / wastewater occur; storage tanks and other containers; processing and storage areas; access roads, rail cars and tracks; areas where the transfer of substances in bulk occurs; and areas where machinery operates.

c. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i)) As part of the good housekeeping program, include a schedule for regular pickup and disposal of garbage and waste materials, or adopt other appropriate measures to reduce the potential for discharging stormwater that has contacted garbage or waste materials. Routinely inspect the condition of drums, tanks and containers for potential leaks.

5. Monitoring and Reporting Requirements. (See also Part V)

SECTOR C: CHEMICAL AND ALLIED PRODUCTS- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code or Activity Code	**Subsector (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Numeric Limitation****
2874	Phosphate Subcategory of the Fertilizer Manufacturing Point Source Category (40 CFR § 418.10)-applies to precipitation runoff, that during manufacturing or processing, comes into contact with any raw materials, intermediate products, finished product, by-product or waste product	Total Phosphorus (as P) Fluoride	105.0 mg/L, daily max 35 mg/L, 30-day avg. 75.0 mg/L, daily max 25.0 mg/L, 30-day avg.

** Monitor once per year for each monitoring year

D. Sector D - Asphalt Paving and Roofing Materials and Lubricant Manufacturers.

1. Covered Stormwater Discharges.

   The requirements in Part VI for Sector D apply to stormwater discharges associated with industrial activity from Asphalt Paving and Roofing Materials and Lubricant Manufacturers facilities as identified by the SIC Codes specified below.

SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS	
2951, 2952	Asphalt Paving and Roofing Materials
2992, 2999	Miscellaneous Products of Petroleum and Coal

2. Industrial Activities Covered by Sector D.

   The types of activities that permittees under Sector D are primarily engaged in are:

   a. manufacturing asphalt paving and roofing materials;

   b. portable asphalt plant facilities;

   c. manufacturing lubricating oils and greases.

3. Limitations on Coverage.

   The following stormwater discharges associated with industrial activity are not authorized by this permit:

   a. discharges from petroleum refining facilities, including those that manufacture asphalt or asphalt products that are classified as SIC code 2911;

   b. discharges from oil recycling facilities;

   c. discharges associated with fats and oils rendering.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

   In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Inspections.* (See also Part IV(F)(7)(b)(i)) Inspect at least once per month, as part of the maintenance program, the following areas: material storage and handling areas, liquid storage tanks, hoppers / silos, vehicle and equipment maintenance, cleaning and fueling areas, material handling vehicles, equipment and processing areas. Ensure appropriate action is taken in response to the inspection by implementing tracking or follow up procedures.

5. Monitoring and Reporting Requirements. (See also Part V)

SECTOR D: ASPHALT PAVING AND ROOFING MATERIALS AND LUBRICANTS- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code or Activity Code	**Subsector (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Numeric Limitation****
2951, 2952	Discharges from areas where production of asphalt paving and roofing emulsions occurs	TSS Oil and Grease PH	23.0 mg/L daily max 15.0 mg/L 30-day avg. 15.0 mg/L daily max 10 mg/L 30-day avg. 6.0-9.0

** Monitor once per year for each monitoring year

E. Sector E - Glass, Clay, Cement, Concrete, and Gypsum Products

1. Covered Stormwater Discharges.

The requirements in Part VI for Sector E apply to stormwater discharges associated with industrial activity from Glass, Clay, Cement, Concrete, and Gypsum Products facilities as identified by the SIC Codes specified below.

SECTOR E: GLASS, CLAY, CEMENT, CONCRETE, AND GYPSUM PRODUCTS	
3211	Flat Glass
3221, 3229	Glass and Glassware, Pressed or Blown
3231	Glass Products Made of Purchased Glass
3241	Hydraulic Cement
3251-3259	Structural Clay Products
3261-3269	Pottery and Related Products
3171-3275	Concrete, Gypsum and Plaster Products
3291-3299	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products

2. Industrial Activities Covered by Sector E.

The requirements listed under this permit apply to stormwater discharges associated with industrial activity from a facility engaged in either manufacturing the following products or performing the following activities:

a. flat, pressed, or blown glass or glass containers;

b. hydraulic cement;

c. clay products including tile and brick;

d. pottery and porcelain electrical supplies;

e. concrete products;

f. gypsum products;

g. minerals and earths, ground or otherwise treated;

h. non-clay refractories;

i. lime manufacturing;

j. cut stone and stone products;

k. asbestos products;

l. mineral wool and mineral wool insulation products.

3. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify the locations of the following, as applicable: bag house or other dust control device; recycle / sedimentation pond, clarifier or other device used for the treatment of process wastewater, and the areas that drain to the treatment device.

b. *Good Housekeeping Measures.* (See also Part IV.F(7)(b)(i)) With good housekeeping prevent or minimize the discharge of: spilled cement; aggregate (including sand or gravel); kiln dust; fly ash; settled dust; or other significant material in stormwater from paved portions of the site that are exposed to stormwater. Consider using regular sweeping or other equivalent measures to minimize the presence of these materials. Indicate in the SWPPP the frequency of sweeping or equivalent measures. Determine the frequency from the amount of industrial activity occurring in the area and the frequency of precipitation, but it must be performed at least once a week if cement, aggregate, kiln dust, fly ash or settled dust are being handled / processed. The permittee must also prevent the exposure of fine granular solids (cement, fly ash, kiln dust, etc.) to stormwater where practicable, by storing these materials in enclosed silos / hoppers, buildings or under other covering.

c. *Inspections.* (See also Part IV(F)(7)(b)(i)) Perform inspections while the facility is in operation and include all of the following areas exposed to stormwater: material handling areas, above ground storage tanks, hoppers or silos, dust collection / containment systems, truck wash down / equipment cleaning areas.

d. *Certification.* (See also Part IV(H)(1)) For facilities producing ready-mix concrete, concrete block, brick or similar products, include in the non-stormwater discharge certification a description of measures that insure that process waste water resulting from truck washing, mixers, transport buckets, forms or other equipment are discharged in accordance with MEPDES requirements or are recycled.

4. Monitoring and Reporting Requirements. (See also Part V)

SECTOR E: GLASS, CLAY, CEMENT, CONCRETE AND GYPSUM PRODUCTS- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code or Activity Code	**Subsector (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Numeric Limitation****
	Cement Manufacturing Facility, Material Storage Runoff: Any discharge composed of runoff that derives from the storage of materials including raw materials, intermediate products, finished products, and waste materials that are used in or derived from the manufacture of cement.	TSS	50 mg/L daily max
		pH	6.0-9.0 s.u.

** Monitor once per year for each monitoring year

F. Sector F - Primary Metals

1. Covered Stormwater Discharges.

The requirements in Part VI for Sector F apply to stormwater discharges associated with industrial activity from Primary Metals facilities as identified by the SIC Codes specified below.

SECTOR F: PRIMARY METALS	
3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
3321-3325	Iron and Steel Foundries
3331-3339	Primary Smelting and Refining of Nonferrous Metals
3341	Secondary Smelting and Refining on Nonferrous Metals
3351-3357	Rolling, Drawing, and Extruding of Nonferrous Metals
3363-3369	Nonferrous Foundries (Castings)
3398. 3399	Miscellaneous Primary Metal Products

2. Industrial Activities Covered by Sector F.

The types of activities under this Part are facilities primarily engaged in:

a. steel works, blast furnaces, and rolling and finishing mills including: steel wire drawing and steel nails and spikes; cold-rolled steel sheet, strip, and bars; and steel pipes and tubes;

b. iron and steel foundries, including: gray and ductile iron, malleable iron, steel investment, and steel foundries not elsewhere classified;

c. primary smelting and refining of nonferrous metals, including: primary smelting and refining of copper, and primary production of aluminum;

d. secondary smelting and refining of nonferrous metals;

e. rolling, drawing, and extruding of nonferrous metals, including: rolling, drawing, and extruding of copper; rolling, drawing and extruding of nonferrous metals except copper and aluminum; and drawing and insulating of nonferrous wire;

f. nonferrous foundries (castings), including: aluminum die-casting, nonferrous die-casting, except aluminum, aluminum foundries, copper foundries, and nonferrous foundries, except copper and aluminum;

g. miscellaneous primary metal products, not elsewhere classified, including: metal

heat treating, and primary metal products not elsewhere classified;

Activities covered include but are not limited to stormwater discharges associated with cooking operations, sintering plants, blast furnaces, smelting operations, rolling mills, casting operations, heat treating, extruding, drawing, or forging all types of ferrous and nonferrous metals, scrap and ore.

3. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Also identify where any of the following activities may be exposed to precipitation / surface runoff: storage or disposal of wastes such as spent solvents / baths, sand, slag / dross; liquid storage tanks / drums; processing areas including pollution control equipment (e.g., baghouses); and storage areas of raw material such as coal, coke, scrap, sand, fluxes, refractories or metal in any form. In addition, indicate where an accumulation of significant amounts of particulate matter could occur from such sources as furnace or oven emissions, losses from coal / coke handling operations, etc., and which could result in a discharge of pollutants to waters of the State.

b. *Inventory of Exposed Material.* (See also Part IV(F)(4)) Include in the inventory of materials handled at the site that potentially may be exposed to precipitation / runoff, areas where deposition of particulate matter from process air emissions or losses during material handling activities are possible.

c. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i)) As part of the good housekeeping program, include: a cleaning / maintenance program for all impervious areas of the facility where particulate matter, dust or debris may accumulate, especially areas where material loading / unloading, storage, handling and processing occur; the paving of areas where vehicle traffic or material storage occur but where vegetative or other stabilization methods are not practicable (institute a sweeping program in these areas too). For unstabilized areas where sweeping is not practicable, consider using stormwater management devices such as sediment traps, vegetative buffer strips, filter fabric fence, sediment filtering boom, gravel outlet protection or other equivalent measures that effectively trap or remove sediment.

d. *Inspections.* (See also Part IV(F)(7)(b)(i)) Conduct inspections routinely, or at least on a quarterly basis, and address all potential sources of pollutants, including (if applicable): air pollution control equipment (e.g., baghouses, electrostatic precipitators, scrubbers and cyclones) for any signs of degradation (e.g., leaks, corrosion or improper operation) that could limit their efficiency and lead to excessive emissions. Consider monitoring air flow at inlets / outlets (or use equivalent measures) to check for leaks (e.g., particulate deposition) or blockage in ducts. Also inspect all process and material handling equipment (e.g., conveyors, cranes and vehicles) for leaks, drips or the potential loss of material; and material storage areas (e.g., piles, bins or hoppers for storing coke, coal, scrap or slag, as well as chemicals stored in tanks / drums) for signs of material losses

due to wind or stormwater runoff.

Appendix G

G. Sector G - Metal Mining (Ore Mining and Dressing)

1. Covered Stormwater Discharges.

The requirements in Part VI for Sector G apply to stormwater discharges associated with industrial activity from active, temporarily inactive and inactive metal mining and ore dressing facilities, including mines abandoned on Federal Lands, as identified by the SIC Codes specified below. Coverage is required for facilities that discharge stormwater contaminated by contact with or that have come into contact with, any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the operation.

SECTOR G: METAL MINING (ORE MINING AND DRESSING)	
1011	Iron Ores
1021	Copper Ores
1031	Lead and Zinc Ores
1041, 1044	Gold and Silver Ores
1061	Ferroalloy Ores, Except Vanadium
1081	Metal Mining Services
1094, 1099	Miscellaneous Metal Ores

a. *Covered Discharges from Inactive Facilities:* All stormwater discharges.

b. *Covered Discharges from Active and Temporarily Inactive Facilities:* Only the stormwater discharges from the following areas are covered: waste rock / overburden piles if composed entirely of stormwater and not combining with mine drainage; topsoil piles; offsite haul / access roads; onsite haul / access roads constructed of waste rock / overburden / spent ore if composed entirely of stormwater and not combining with mine drainage; onsite haul / access roads not constructed of waste rock / overburden / spent ore except if mine drainage is used for dust control; runoff from tailings dams / dikes when not constructed of waste rock / tailings and no process fluids are present; runoff from tailings dams / dikes when constructed of waste rock / tailings if no process fluids are present if composed entirely of stormwater and not combining with mine drainage; concentration building if no contact with material piles; mill site if no contact with material piles; office / administrative building and housing if mixed with stormwater from industrial area; chemical storage area; docking facility if no excessive contact with waste product that would otherwise constitute mine drainage; explosive storage; fuel storage; vehicle / equipment maintenance area / building; parking areas (if necessary); power plant; truck wash areas if no excessive contact with waste product that would otherwise constitute mine drainage; unreclaimed, disturbed areas outside of active mining area; reclaimed areas released from reclamation bonds prior to December 17, 1990; and partially / inadequately reclaimed areas or areas not released from reclamation bonds**.**

2. Industrial Activities Covered by Sector G.
The types of activities that permittees under Sector G are primarily engaged in are:

a. exploring for metallic minerals (ores), developing mines and the mining of ores;

b. ore dressing and beneficiating, whether performed at co-located, dedicated mills or separate (i.e., custom) mills.

3. Limitations on Coverage.

a. *Prohibition of Stormwater Discharges.*

Stormwater discharges not authorized by this permit: discharges from active metal mining facilities which are subject to effluent limitation guidelines for the Ore Mining and Dressing Point Source Category (40 CFR Part 440).

Note: discharges that come in contact with overburden / waste rock are subject to 40 CFR Part 440, providing: the discharges drain to a point source (either naturally or as a result of intentional diversion) and they combine with "mine drainage" that is otherwise regulated under the Part 440 regulations. Discharges from overburden / waste rock can be covered under this permit if they are composed entirely of stormwater, do not combine with sources of mine drainage that are subject to 40 CFR Part 440, and meet other eligibility criteria contained in Part I.B.1.

b. *Prohibition of Non-Stormwater Discharges.*

Not authorized by this permit: adit drainage and contaminated springs or seeps (see also the standard Limitations on Coverage in Part I(B)(3)).

4. Definitions.

a. *Mining operation* - typically consists of three phases, any one of which individually qualifies as a "mining activity." The phases are the exploration and construction phase, the active phase, and the reclamation phase.

b. *Exploration and construction phase* - entails exploration and land disturbance activities to determine the financial viability of a site. Construction includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals.

c. *Active phase* - activities including each step from extraction through production of a salable product.

d. *Reclamation phase* - activities intended to return the land to its pre-mining use

The following definitions are not intended to supersede or affect the definitions of active and inactive mining facilities in 06-096CMR200.

e. *Active Metal Mining Facility* - a place where work or other activity related to the extraction, removal or recovery of metal ore is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun.

f. *Inactive Metal Mining Facility* - a site or portion of a site where metal mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal government agency.

g. *Temporarily Inactive Metal Mining Facility* - a site or portion of a site where metal mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal government agency.

5. Clearing, Grading and Excavation Activities.

Clearing, grading and excavation activities being conducted as part of the exploration and construction phase of a mining operation cannot be covered under this permit if these activities will disturb one or more acre of land. Instead, coverage for these activities must be under the MEPDES General Permit for Stormwater Discharges from Construction Activities, or an individual permit. If the area of disturbance during the initial phase is less than one acre, the permittee must continue to comply with the requirements of this General Permit.

a. *Requirements for Activities Disturbing One (1) or More Acres of Earth.* If the one-acre limit is attained, coverage for these activities may be required under the MEPDES Construction General Permit (or individual permit). Discharges in compliance with the provisions of the Construction General Permit are also authorized under this General Permit.

b. *Cessation of Earth Disturbing Activities.* If exploration phase clearing, grading and excavation activities are completed and no further mining activities will occur at the site, the permittee must comply with the requirements for terminating the Construction General Permit, i.e., stabilize and revegetate the disturbed land, submit a Notice of Termination, etc. If active mining activities will ensue, the permittee must apply for coverage under this General Permit for the stormwater discharges and be prepared to implement any new requirements prior to beginning the active phase. It is recommended the permittee terminates the coverage under the Construction General Permit, but it is not mandatory that the permittee does so. If the permittee chooses not to terminate the construction General Permit, the permittee will be responsible for complying with all permit conditions of the construction permit in addition to those of this General Permit.

6. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *SWPPP Requirements for Active and Temporarily Inactive Metal Mining*

Facilities.

1. Nature of Industrial Activities. (See also Part IV(F)(2)(a)) Briefly describe the mining and associated activities that can potentially affect the stormwater discharges covered by this permit, including: the total acreage within the mine site; the estimated acreage of disturbed land; the estimated acreage of land proposed to be disturbed throughout the life of the mine; and a general description of the location of the site relative to major transportation routes and communities**.**

2. Site Map. (See also Part IV(F)(2)(b)) Also identify the locations of the following (as appropriate): mining / milling site boundaries; access and haul roads; outline of the drainage areas of each stormwater outfall within the facility and indicate the types of discharges from the drainage areas; equipment storage, fueling and maintenance areas; materials handling areas; outdoor manufacturing, storage or material disposal areas; chemicals and explosives storage areas; overburden, materials, soils or waste storage areas; location of mine drainage (where water leaves mine) or other process water; tailings piles / ponds (including proposed ones); heap leach pads; off-site points of discharge for mine drainage / process water; surface waters; and boundary of tributary areas that are subject to effluent limitations guidelines.

3. Potential Pollutant Sources. (See also Part IV(F)(4)) For each area of the mine/ mill site where stormwater discharges associated with industrial activities occur, identify the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. Consider these factors: the mineralogy of the ore and waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; vegetation of site (if any); history of leaks / spills of toxic or hazardous pollutants. Also include a summary of any existing ore or waste rock / overburden characterization data and test results for potential generation of acid rock. If any new data is acquired due to changes in ore type being mined, update the SWPPP with this information.

4. Site Inspections. (See also Part IV(F)(7)(b)(i)) Inspect active mining sites at least monthly. Inspect temporarily inactive sites at least quarterly unless adverse weather conditions make the site inaccessible.

5. Employee Training. (See also Part IV(F)(7)(b)(i)) Conduct employee training at least annually at active mining and temporarily inactive sites.

6. Controls. (See also Part IV(F)(7)) Consider each of the following BMPs. The potential pollutants identified in 6(a)(3) in this Appendix above shall determine the priority and appropriateness of the BMPs selected. If the permittee determines that one or more of these BMPs are not appropriate for the facility, explain why it is not appropriate. If BMPs are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the

SWPPP.

- *Stormwater Diversions.* Consider diverting stormwater away from potential pollutant sources. BMP options: interceptor / diversion controls (e.g., dikes, swales, curbs or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open top box culverts and waterbars; rolling dips and road sloping; roadway surface water deflector, and culverts); or their equivalents.

- *Sediment and Erosion Control.* (See also Part IV(F)(7)(b)) At active and temporarily inactive sites consider a range of erosion controls within the broad categories of: flow diversion (e.g., swales); stabilization (e.g., temporary or permanent seeding); and structural controls (e.g., sediment traps, dikes, silt fences).

- *Management of Runoff.* (See also Part IV(F)(7)(b)(ii)) Consider the potential pollutant sources given in G(6)(a)(3) of this Appendix when determining reasonable and appropriate measures for managing runoff.

- *Capping.* When capping is necessary to minimize pollutant discharges in stormwater, identify the source being capped and the material used to construct the cap.

- *Treatment.* If treatment of stormwater (e.g., chemical or physical systems, oil / water separators, artificial wetlands, etc.) from active and temporarily inactive sites is necessary to protect water quality, describe the type and location of treatment used.

- *Certification of Discharge Testing.* (See also Part IV(H)(1)) Test or evaluate for the presence of specific mining-related non-stormwater discharges such as seeps or adit discharges. Alternatively (if applicable), the permittee may certify in the SWPPP that a particular discharge comprised of commingled stormwater and non-stormwater is covered under a separate MEPDES permit; and that permit subjects the non-stormwater portion to effluent limitations prior to any commingling. This certification shall identify the non-stormwater discharges, the applicable MEPDES permit(s), the effluent limitations placed on the non-stormwater discharge by the permit(s), and the points at which the limitations are applied.

b. SWPPP Requirements for Inactive Metal Mining Facilities.

1. Nature of Industrial Activities. (See also Part IV(F)(2)(a)) Briefly describe the mining and associated activities that took place at the site that can potentially affect the stormwater discharges covered by this permit. Include: approximate dates of operation; total acreage within the mine and / or processing site; estimate of acres of disturbed earth; activities currently occurring onsite (e.g., reclamation); a general description of site location with respect to transportation routes and communities.

2. Site Map. (See also Part IV(F)(2)(b)) See G(6)(a)(2) of this Appendix for requirements.

3. Potential Pollutant Sources. (See also Part IV(F)(4)) See G(6)(a)(3) of this Appendix for requirements.

4. Controls. (See also Part IV(F)(7)) Consider each of the following BMPs. The potential pollutants identified in (6)(a)(3) of this Appendix shall determine the priority and appropriateness of the BMPs selected. If the permittee determines that one or more of these BMPs are not appropriate for the facility, explain why it is not appropriate. If BMPs are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions of them in the SWPPP. The non-structural controls in the general requirements at Part IV(F)(7)(b)(i) are not required for inactive facilities.

   • *Stormwater Diversions.* See (6)(a)(6) in this Appendix for requirements.

   • *Sediment and Erosion Control.* (See also Part IV(F)(7)(b)(ii)) See (6)(a)(6) in this Appendix for requirements.

   • *Management of Runoff.* (See also Part IV(F)(7)(b)(ii)) Also consider the potential pollutant sources as described in (G)(6)(b)(3) in this Appendix (Summary of Potential Pollutant Sources) when determining reasonable and appropriate measures for managing runoff.

   • *Capping.* See (G)(6)(a)(6) in this Appendix for requirements.

   • *Treatment.* See (G)(6)(a)(6) in this Appendix for requirements.

5. Comprehensive Site Compliance Evaluation. (See also Part IV(K)) Annual site compliance evaluations may be impractical for inactive mining sites due to remote location / inaccessibility of the site; in which case conduct the evaluation at least once every 3 years. Document in the SWPPP why annual compliance evaluations are not possible. If the evaluations will be conducted more often than every 3 years, specify the frequency of evaluations.

H. Sector H - Coal Mines and Coal Mining Related Facilities.

1. Covered Stormwater Discharges.

The requirements in Part VI for Sector H apply to stormwater discharges associated with industrial activity from Coal Mines and Coal Mining Related facilities as identified by the SIC Codes specified below.

SECTOR H: COAL MINES AND COAL MINING RELATED FACILITIES	
1221-1241	Coal Mines and Coal Mining-Related Facilities

2. Industrial Activities Covered by Sector H.

Stormwater discharges from the following portions of coal mines may be eligible for this permit:

a. haul roads (nonpublic roads on which coal or coal refuse is conveyed);

b. access roads (nonpublic roads providing light vehicular traffic within the facility property and to public roadways);

c. railroad spurs, siding and internal haulage lines (rail lines used for hauling coal within the facility property and to offsite commercial railroad lines or loading areas);

d. conveyor belts, chutes and aerial tramway haulage areas (areas under and around coal or refuse conveyer areas, including transfer stations); and

e. equipment storage and maintenance yards, coal handling buildings and structures, and inactive coal mines and related areas (abandoned and other inactive mines, refuse disposal sites and other mining-related areas).

3. Limitation on Coverage.

a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(2-3)) Not covered by this permit: discharges from pollutant seeps or underground drainage from inactive coal mines and refuse disposal areas that do not result from precipitation events; and discharges from floor drains in maintenance buildings and other similar drains in mining and preparation plant areas.

b. *Discharges Subject to Stormwater Effluent Guidelines.* (See also Part I(B)(3)(a)).

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV of the MSGP.

a. *Other Applicable Regulations.* Most active coal mining-related areas (SIC Codes 1221-1241) are subject to sediment and erosion control regulations of the U.S. Office of Surface Mining (OSM) that enforces the Surface Mining Control and Reclamation Act (SMCRA). OSM has granted authority to most coal producing states to implement SMCRA through State SMCRA regulations. All SMCRA requirements regarding control of stormwater-related pollutant discharges must be addressed in the SWPPP (directly or by reference).

b. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Also identify where any of the following may be exposed to precipitation / surface runoff: all applicable mining related areas described in (H)(2) of this Appendix; acidic spoil, refuse or unreclaimed disturbed areas, and liquid storage tanks containing pollutants such as caustics, hydraulic fluids and lubricants.

c. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following sources and activities that have potential pollutants associated with them: truck traffic on haul roads and resulting generation of sediment subject to runoff and dust generation; fuel or other liquid storage; pressure lines containing slurry, hydraulic fluid or other potential harmful liquids; and loading or temporary storage of acidic refuse / spoil.

d. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i)) As part of the good housekeeping program, consider: using sweepers; covered storage; watering haul roads to minimize dust generation; and conserving vegetation (where possible) to minimize erosion.

e. *Preventive Maintenance.* (See also Part IV(F)(7)(b)(i)) Also perform inspections of storage tanks and pressure lines of fuels, lubricants, hydraulic fluid or slurry to prevent leaks due to deterioration or faulty connections; or other equivalent measures.

f. *Inspections of Active Mining-Related Areas and Inactive Areas Under SMCRA Bond Authority.* (See also Part IV(F)(7)(a-b)) Perform quarterly inspections of areas covered by this permit, corresponding with the inspections, as performed by SMCRA inspectors, of all mining-related areas required by SMCRA. Also maintain the records of the SMCRA authority representative.

g. *Sediment and Erosion Control.* (See also Part IV(F)(7)(b)(ii)) As indicated in H.4.a of this Appendix, SMCRA requirements regarding sediment and erosion control measures are primary requirements of the SWPPP for mining-related areas subject to SMCRA authority.

h. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)) Include in the evaluation program, inspections for pollutants entering the drainage system from activities located on or near coal mining-related areas. Among the areas to be inspected: haul and access roads; railroad spurs, sliding and internal hauling lines; conveyor belts, chutes and aerial tramways; equipment storage and maintenance yards; coal handling buildings / structures; and inactive mines and related areas.

5. Monitoring and Reporting Requirements. (See also Part V)

NUMERIC LIMITATIONS FOR COAL PILE RUNOFF			
Parameter	Limit	Monitoring Frequency	Sample Type
Total Suspended Solids (TSS)	50 mg/L, max	1/year	Grab.
pH	6.0-9.0 min. and max	1/year	Grab.

I. Sector I - Oil and Gas Extraction and Refining

1. Covered Stormwater Discharges. The requirements in Part VI for Sector I apply to stormwater discharges associated with industrial activity from Oil and Gas Extraction and Refining facilities as identified by the SIC Codes specified below.

SECTOR I: OIL AND GAS EXTRACTION AND REFINING	
1311	Crude Petroleum and Natural Gas
1321	Natural Gas Liquids
1381-1389	Oil and Gas Field Services
2911	Petroleum Refineries

2. Industrial Activities Covered By Sector I.

   The types of activities that permittees under Sector I are primarily engaged in are:

   a. oil and gas exploration, production, processing or treatment operations, or transmission facilities;

   b. extraction and production of crude oil, natural gas, oil sands and shale; the production of hydrocarbon liquids and natural gas from coal; and associated oil field service, supply and repair industries.

3. Limitations On Coverage.

   a. *Prohibition of Stormwater Discharges.* This permit does not authorize contaminated stormwater discharges from petroleum refining or drilling operations that are subject to nationally established BAT or BPT guidelines found at 40 CFR Parts 419 and 435, respectively. Note: most contaminated discharges at petroleum refining and drilling facilities are subject to these effluent guidelines and are not eligible for coverage by this permit.

   b. *Prohibition of Non-Stormwater Discharges.* Not authorized by this permit: discharges of vehicle and equipment washwater, including tank cleaning operations. Alternatively, washwater discharges must be authorized under a separate MEPDES permit, or be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements.

   In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: Reportable Quantity (RQ) releases; locations used for the treatment, storage or disposal of wastes;

processing areas and storage areas; chemical mixing areas; construction and drilling areas; all areas subject to the effluent guidelines requirements for "No Discharge" in accordance with 40 CFR 435.32; and the structural controls to achieve compliance with the "No Discharge" requirements.

b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Also describe the following sources and activities that have potential pollutants associated with them: chemical, cement, mud or gel mixing activities; drilling or mining activities; and equipment cleaning and rehabilitation activities. In addition, include information about the RQ release that triggered the permit application requirements; the nature of release (e.g., spill of oil from a drum storage area); the amount of oil or hazardous substance released; amount of substance recovered; date of the release; cause of the release (e.g., poor handling techniques and lack of containment in the area); areas affected by the release (i.e., land and water); procedure to clean up release; actions or procedures implemented to prevent or improve response to a release; and remaining potential contamination of stormwater from release (taking into account human health risks, the control of drinking water intakes and the designated uses of the receiving water).

c. *Inspections.* (See also Part IV(F)(7)(b)(i))

1. Inspection Frequency. Inspect all equipment and areas addressed in the SWPPP at a minimum of 6-month intervals. Routinely (but not less than quarterly) inspect equipment and vehicles which store, mix (including all on and offsite mixing tanks) or transport chemicals / hazardous materials (including those transporting supplies to oil field activities).

2. Temporarily or Permanently Inactive Oil and Gas Extraction Facilities. For those facilities that are remotely located and unstaffed, perform the inspections at least annually.

d. *Sediment and Erosion Control.* (See also Part IV(F)(7)(b)(ii)) Unless covered by the General Permit for Construction Activity, the additional sediment and erosion control requirements for well drillings, and sand / shale mining areas include the following:

1. Site Description: Also include: a description of the nature of the exploration activity; estimates of the total area of site and area disturbed due to exploration activity; an estimate of runoff coefficient of the site; site drainage map, including approximate slopes; and the name of all receiving waters. All sediment and erosion control measures must be inspected once every seven days.

2. Vegetative Controls: Describe and implement vegetative practices designed to preserve existing vegetation where attainable and re-vegetate open areas as soon as practicable after grade drilling. Consider the following (or equivalent measures): temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, and tree protection practices. Begin implementing appropriate vegetative practices on all disturbed areas within 14 days following the last activity in that area or as

soon as practicable as per the growing season.

e. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i))

1. Vehicle and Equipment Storage Areas. Confine vehicles / equipment awaiting or having undergone maintenance to designated areas (as marked on site map). Describe and implement measures to minimize contaminants from these areas (e.g., drip pans under equipment, indoor storage, use of berms or dikes, or other equivalent measures).

2. Material and Chemical Storage Areas. Maintain these areas in good condition to prevent contamination of stormwater. Plainly label all hazardous materials.

3. Chemical Mixing Areas. (See also Part IV(H))

Describe and implement measures that prevent or minimize contamination of stormwater runoff from chemical mixing areas.

J. Sector J - Mineral Mining and Dressing.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector J apply to stormwater discharges associated with industrial activity from active and inactive mineral mining and dressing facilities as identified by the SIC Codes specified below.

SECTOR J: MINERAL MINING AND DRESSING	
1411	Dimension Stone
1422, 1429	Crushed and Broken Stone, Including Rip Rap
1442, 1446	Sand and Gravel
1455, 1459	Clay, Ceramic, and Refractory Materials
1474-1479	Chemical and Fertilizer Mineral Mining
1481	Nonmetallic Minerals Services, Except Fuels
1499	Miscellaneous Nonmetallic Minerals, Except Fuels

2. Industrial Activities Covered by Sector J.

The types of activities that permittees under Sector J are primarily engaged in are:

a. exploring for minerals (e.g., stone, sand, clay, chemical and fertilizer minerals, non-metallic minerals, etc.), developing mines and the mining of minerals; and

b. mineral dressing, and non-metallic mineral services.

3. Limitations on Coverage. Not authorized by this permit: most stormwater discharges subject to an existing effluent limitation guideline at 40 CFR Part 436. The exceptions to this limitation and which are therefore covered by this General Permit are mine dewatering discharges composed entirely of stormwater or ground water seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities.

4. Definitions.

a. *Mining Operation* - typically consists of three-phases, any one of which individually qualifies as a "mining activity." The phases are the exploration and construction phase, the active phase and the reclamation phase.

b. *Exploration and Construction Phase* - entails exploration and land disturbance activities to determine the financial viability of a site. Construction includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals.

c. *Active Phase* - activities including each step from extraction through production of a salable product.

d. *Reclamation phase* - activities intended to return the land to its pre-mining state.

NOTE: The following definitions are not intended to supersede the definitions of active and inactive mining facilities established in 06-096CMR200.

e. *Active Mineral Mining Facility* - a place where work or other activity related to the extraction, removal or recovery of minerals is being conducted. This definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun.

f. *Inactive Mineral Mining Facility* - a site or portion of a site where mineral mining and/or dressing occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active permit issued by the applicable State or Federal government agency.

g. *Temporarily Inactive Mineral Mining Facility* - a site or portion of a site where mineral mining and/or dressing occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal government agency.

5. Clearing, Grading and Excavation Activities. Clearing, grading and excavation activities being conducted as part of the exploration and construction phase of a mineral mining operation cannot be covered under this permit if these activities will disturb one or more acre of land. Instead, coverage for these activities must be under the MEPDES General Permit for Stormwater Discharges from Construction Activities, or an individual construction permit. If the area of disturbance during the initial phase is less than one acre, the permittee must continue to comply with the requirements of this General Permit.

a. *Obtaining Coverage Under the Construction General Permit.* If the one-acre limit as described in Appendix J(5) is attained, coverage for these activities must be under the MCGP (or individual permit). Discharges in compliance with the provisions of the MCGP are also authorized under the MSGP.

b. *Cessation of Exploration and Construction Activities.* If exploration phase clearing, grading and excavation activities are completed and no further mining activities will occur at the site, the permittee must comply with the requirements for terminating the MCGP, i.e., stabilize and revegetate the disturbed land, submit a Notice of Termination, etc. If active mining operations will ensue, the permittee must apply for coverage under this General Permit for the stormwater discharges and be prepared to implement any new requirements prior to beginning the active phase. It is recommended the permittee terminates the coverage under the construction General Permit, but the permittee is not required to do so. If the permittee chooses to not terminate, the permittee will be responsible for complying with all permit conditions of the construction permit in addition to those of this General Permit.

6. SWPPP Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV of the MSGP.

a. *Inspections.* (See also Part IV(F)(7)(b)(i)) Conduct quarterly visual inspections

of all BMPs at active mining facilities. At temporarily or permanently inactive facilities, perform annual inspections. Include in the inspection program: assessment of the integrity of stormwater discharge diversions, conveyance systems, sediment control and collection systems and containment structures; inspections to determine if soil erosion has occurred at, or as a result of vegetative BMPs, serrated slopes and benched slopes; inspections of material handling and storage areas and other potential sources of pollution for evidence of actual or potential discharges of contaminated stormwater.

7. Monitoring and Reporting Requirements. (See also Part V)

SECTOR J: MINERAL MINING AND DRESSING- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code or Activity Code	**Subsector (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Numeric Limitation****
	Mine Dewatering Activities from Crushed and Broken Stone Facilities	TSS pH	25 mg/L, monthly avg. 45 mg/L daily max 6.0-9.0
	Mine Dewatering Activities from Sand and Gravel Mining Facilities	TSS pH	25 mg/L, monthly avg. 45 mg/L daily max 6.0-9.0

K. Sector K - Hazardous Waste Treatment, Storage or Disposal Facilities.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector K apply to stormwater discharges associated with industrial activity from Hazardous Waste Treatment, Storage or Disposal facilities as identified by the Activity Code specified below.

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES	
HZ	Hazardous Waste Treatment, Storage or Disposal

2. Industrial Activities Covered by Sector K. This permit authorizes stormwater discharges associated with industrial activity from facilities that treat, store or dispose of hazardous wastes, including those that are operating under interim status or a permit under subtitle C of RCRA.

3. Limitations on Coverage.

a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3)) Not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory-derived wastewater and contact washwater from washing truck and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

4. Definitions.

a. *Contaminated stormwater* - stormwater which comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in 4.e of this Appendix. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to): the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and waste dumping areas.

b. *Drained free liquids* - aqueous wastes drained from waste containers (e.g., drums, etc.) prior to landfilling.

c. *Land treatment facility* - a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface; such facilities are disposal facilities if the waste will remain after closure.

d. *Landfill* - an area of land or an excavation in which wastes are placed for permanent disposal, that is not a land application or land treatment unit, surface impoundment, underground injection well, waste pile, salt dome formation, a salt bed formation, an underground mine or a cave as these terms are defined in 40 CFR 257.2, 258.2 and 260.10.

e. *Landfill wastewater* - as defined in 40 CFR Part 445 (Landfills Point Source

Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater and contact washwater from washing truck, equipment, and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

f. *Leachate* - liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste.

g. *Non-contaminated stormwater* - stormwater which does not come into direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater as defined in (4)(e) of this Appendix. Non-contaminated stormwater includes stormwater which flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

h. *Pile* - any non-containerized accumulation of solid, nonflowing hazardous waste that is used for treatment or storage and that is not a containment building.

i. *Surface impoundment* - a facility or part of a facility which is a natural topographic depression, man-made excavation or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons.

5. Numeric Limitations, Monitoring and Reporting Requirements. (See also Part V)

SECTOR K: HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILTIES- SECTOR SPECIFIC NUMERIC LIMITATIONS AND BENCHMARK MONITORING				
SIC Code or Activity Code	**Subsector (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Benchmark Monitoring cutoff concentration***	**Numeric Limitation****
HZ	ALL – Industrial Activity Code "HZ" Subject to the Provisions of 40 CFR Part 445 Subpart A	BOD_5 TSS Ammonia Alpha Terpineol Aniline Benzoic Acid Naphthalene p-Cresol Phenol Pyridine Arsenic (Total) Chromium (Total) Zinc (Total) pH		220mg/l, daily max 56 mg/l, monthly avg. max. 88 mg/l, daily max 27 mg/l, monthly avg. max. 10 mg/l, daily max 4.9 mg/l, monthly avg. max. 0.042 mg/l, daily max 0.019 mg/l, monthly avg. max. 0.024 mg/l, daily max 0.015 mg/l, monthly avg. max. 0.119 mg/l, daily max 0.073 mg/l, monthly avg. max. 0.059 mg/l, daily max 0.022 mg/l, monthly avg. max. 0.024 mg/l, daily max 0.015 mg/l, monthly avg. max. 0.048 mg/l, daily max 0.029 mg/l, monthly avg. max. 0.072 mg/l, daily max 0.025 mg/l, monthly avg. max. 1.1 mg/l, daily max 0.46 mg/l, monthly avg. max. 1.1 mg/l daily max 0.46 mg/l, monthly avg. max. 0.535 mg/l, daily max 0.296 mg/l, monthly avg. max. Within the range of 6-9 pH units

These numeric limitations apply to contaminated storm water discharges from hazardous waste landfills subject to the provisions of RCRA Subtitle C at 40 CFR Parts 264 (Subpart N) and 265 (Subpart N) except for any of the facilities described below:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill only receives wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation of the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject to 40 CFR Part 437 so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

L. Sector L - Landfills, Land Application Sites and Open Dumps

1. Covered Stormwater Discharges. The requirements in Part VI for Sector L apply to stormwater discharges associated with industrial activity from Landfills and Land Application Sites and Open Dumps as identified by the Activity Codes specified below.

SECTOR L: LANDFILLS AND LAND APPLICATION SITES	
LF	Landfills, Land Application Sites, and Open Dumps

2. Industrial Activities Covered by Sector L. This permit may authorize stormwater discharges for Sector L facilities associated with waste disposal at landfills, land application sites and open dumps that receive or have received industrial waste, including sites subject to regulation under Subtitle D of RCRA. Stormwater discharges associated with new cell construction are also covered for Sector L facilities provided that the new construction areas are addressed in the facility's SWPPP.

3. Limitations on Coverage.

a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3))

Not authorized by this permit: leachate, gas collection condensate, drained free liquids, contaminated ground water, laboratory wastewater, and contact washwater from washing truck and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill facility.

4. Definitions.

a. *Contaminated stormwater* - stormwater which comes in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Some specific areas of a landfill that may produce contaminated stormwater include (but are not limited to): the open face of an active landfill with exposed waste (no cover added); the areas around wastewater treatment operations; trucks, equipment or machinery that has been in direct contact with the waste; and waste dumping areas.

b. *Drained free liquids* - aqueous wastes drained from waste containers (e.g., drums, etc.) prior to landfilling.

c. *Landfill wastewater* - as defined in 40 CFR Part 445 (Landfills Point Source Category) all wastewater associated with, or produced by, landfilling activities except for sanitary wastewater, non-contaminated stormwater, contaminated groundwater, and wastewater from recovery pumping wells. Landfill process wastewater includes, but is not limited to, leachate, gas collection condensate, drained free liquids, laboratory derived wastewater, contaminated stormwater and contact washwater from washing truck, equipment and railcar exteriors and surface areas which have come in direct contact with solid waste at the landfill

facility.

d. *Leachate* - liquid that has passed through or emerged from solid waste and contains soluble, suspended or miscible materials removed from such waste.

e. *Non-contaminated stormwater* - stormwater which does not come in direct contact with landfill wastes, the waste handling and treatment areas, or landfill wastewater. Non-contaminated stormwater includes stormwater which flows off the cap, cover, intermediate cover, daily cover, and/or final cover of the landfill.

5. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: active and closed landfill cells or trenches, active and closed land application areas, locations where open dumping is occurring or has occurred, locations of any known leachate springs or other areas where uncontrolled leachate may commingle with runoff, leachate collection and handling systems, and areas where construction of new cells is being performed or anticipated in the coming year.

b. *Summary of Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following sources and activities that have potential pollutants associated with them: fertilizer, herbicide and pesticide application; earth / soil moving; including new cell construction activities; waste hauling and loading/unloading; outdoor storage of significant materials including daily, interim and final cover material stockpiles as well as temporary waste storage areas; exposure of active and inactive landfill and land application areas; uncontrolled leachate flows; failure or leaks from leachate collection and treatment systems.

c. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i)) As part of the good housekeeping program, consider providing protected storage areas for pesticides, herbicides, fertilizer and other significant materials.

d. *Preventative Maintenance Program.* (See also Part IV(F)(7)(a)) As part of the preventive maintenance program, maintain: all containers used for outdoor chemical / significant materials storage to prevent leaking; all elements of leachate collection and treatment systems to prevent commingling of leachate with stormwater; the integrity and effectiveness of any intermediate or final cover (including repairing the cover as necessary to minimize the effects of settlement, sinking and erosion).

e. *Inspections.*

1. Inspections of Active Sites. (See also Part IV(F)(7)(b)(i)) Inspect operating landfills, open dumps and land application sites at least once every 7 days. Focus on areas of landfills that have not yet been finally stabilized, active land application areas, areas used for storage of material / wastes that are exposed to precipitation, stabilization and structural

control measures, leachate collection and treatment systems, and locations where equipment and waste trucks enter / exit the site. Ensure that sediment and erosion control measures are operating properly. For stabilized sites and areas where land application has been completed, conduct inspections at least once every month.

2. Inspections of Inactive Sites. (See also Part IV(F)(7)(b)(i)) Inspect inactive landfills, open dumps and land application sites at least quarterly. Qualified personnel must inspect landfill (or open dump) stabilization and structural erosion control measures and leachate collection and treatment systems, and all closed land application areas.

f. *Recordkeeping and Internal Reporting.* Implement a tracking system for the types of wastes disposed of in each cell or trench of a landfill or open dump. For land application sites, track the types and quantities of wastes applied in specific areas.

g. *Non-Stormwater Discharge Test Certification.* (See also Part IV.) The discharge test and certification must also be conducted for the presence of leachate and vehicle washwater.

h. *Sediment and Erosion Control Plan.* (See also Part IV(F)(7)(b)(ii)) Provide temporary stabilization (e.g., consider temporary seeding, mulching and placing geotextiles on the inactive portions of stockpiles): for materials stockpiled for daily, intermediate and final cover; for inactive areas of the landfill or open dump; for any landfill or open dump area that have gotten final covers but where vegetation has yet to established itself; and where waste application has been completed at land application sites but final vegetation has not yet been established.

i. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)) Evaluate areas contributing to a stormwater discharge associated with industrial activities at landfills, open dumps and land application sites for evidence of, or the potential for, pollutants entering the drainage system.

6. Numeric Limitations, Monitoring and Reporting Requirements. (See also Part V)

SECTOR L: LANDFILLS AND LAND APPLICATION SITES- SECTOR SPECIFIC NUMERIC LIMITATIONS			
SIC Code or Activity Code	**Subsector (Discharge may be subject to requirements for more than one sector/subsector)**	**Parameter**	**Numeric Limitation****
LF	All Landfills which are Subject to the Requirements of 40 CFR Part 445 Subpart B	BOD_5 TSS Ammonia Alpha Terpineol Benzoic Acid p-Cresol Phenol Zinc (Total) pH	140 mg/1, daily max 37 mg/1, monthly avg. max. 88 mg/l, daily max 27 mg/1, monthly avg. max. 10 mg/1, daily max. 4.9 mg/1, monthly avg. max. 0.033 mg/1, daily max. 0.016 mg/1, monthly avg. max. 0.12 mg/1, daily max. 0.071 mg/1, monthly avg. max. 0.025 mg/1, daily max. 0.014 mg/1, monthly avg. max. 0.026 mg/1, daily max. 0.015 mg/1, monthly avg. max. 0.20 mg/1, daily max 0.11 mg/1, monthly avg. max. Within the range of 6-9 pH units

As set forth at 40 CFR Part 445 Subpart B, these numeric limitations apply to contaminated storm water discharges from MSWLFs which have not been closed in accordance with 40 CFR 258.60, and contaminated storm water discharges from those landfills which are subject to the provisions of 40 CFR Part 257 except for discharges from any of facilities described in (a) through (d) below:

(a) Landfills operated in conjunction with other industrial or commercial operations when the landfill only receives wastes generated by the industrial or commercial operation directly associated with the landfill;

(b) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes provided the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation or the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation;

(c) Landfills operated in conjunction with Centralized Waste Treatment (CWT) facilities subject 40 CFR Part 437 so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or

(d) Landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

M. Sector M - Automobile Salvage Yards.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector M apply to stormwater discharges associated with industrial activity from Automobile Salvage Yards as identified by the SIC Code specified below.

SECTOR M: AUTOMOBILE SALVAGE YARDS	
5015	Automobile Salvage Yards

2. Industrial Activities Covered by Sector M. The types of activities that permittees under Sector M are primarily engaged in are dismantling or wrecking used motor vehicles for parts recycling / resale and for scrap.

3. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Indicate the location of each monitoring point, and estimate the total acreage used for industrial activity including, but not limited to, dismantling, storage and maintenance of used motor vehicle parts. Also identify where any of the following may be exposed to precipitation / surface runoff: dismantling areas; parts (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) storage areas; liquid storage tanks and drums for fuel and other fluids.

b. *Potential Pollutant Sources.* (See also Part IV(F)(4) Assess the potential for the following to contribute pollutants to stormwater discharges: vehicle storage areas; dismantling areas; parts storage area (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers); fueling stations.

c. *Spill and Leak Prevention Procedures.* (See also Part IV(F)(7)(b)(i) Drain vehicles intended to be dismantled of all fluids upon arrival at the site (or as soon thereafter as feasible); or employ some other equivalent means to prevent spills / leaks.

d. *Inspections.* (See also Part IV(F)(7)(b)(i) Immediately (or as soon thereafter as feasible) inspect vehicles arriving at the site for leaks. Inspect quarterly for signs of leakage, all equipment containing oily parts, hydraulic fluids or any other types of fluids. Also inspect quarterly for signs of leakage, all vessels and areas where fluids are stored, including, but not limited to, brake fluid, transmission fluid, radiator water and antifreeze.

e. *Employee Training.* (See also Part IV(F)(7)(b)(i) If applicable to the facility, address the following areas (at a minimum) in the employee training program: proper handling (collection, storage, and disposal) of oil, used mineral spirits, anti-freeze and solvents.

f. *Management of Runoff.* (See also Part IV(F)(7)(b)(ii) Consider the following management practices: berms or drainage ditches on the property line (to help prevent run-on from neighboring properties); berms for uncovered outdoor storage of oily parts, engine blocks and above-ground liquid storage; installation

of detention ponds; and the installation of filtering devices and oil / water separators.

N. Sector N - Scrap Recycling and Waste Recycling Facilities

1. Covered Stormwater Discharges. The requirements in Part VI for Sector N apply to stormwater discharges associated with industrial activity from Scrap Recycling and Waste Recycling facilities as identified by the SIC Codes specified below.

SECTOR N: SCRAP RECYCLING FACILITIES	
5093	Scrap Recycling Facilities

2. Industrial Activities Covered by Sector N. The types of activities that permittees under Sector N are primarily engaged in are:

a. processing, reclaiming and wholesale distribution of scrap and waste materials such as ferrous and nonferrous metals, paper, plastic, cardboard, glass, animal hides;

b. reclaiming and recycling liquid wastes such as used oil, antifreeze, mineral spirits and industrial solvents.

3. Coverage Under This Permit. Separate permit requirements have been established for recycling facilities that only receive source-separated recyclable materials primarily from non-industrial and residential sources (i.e., common consumer products including paper, newspaper, glass, cardboard, plastic containers, aluminum and tin cans). This includes recycling facilities commonly referred to as material recovery facilities (MRF).

a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(2)) Not covered by this permit: non-stormwater discharges from turnings containment areas (see also 4(b)(3) of this Appendix). Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate MEPDES permit.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV of the MSGP. Part 4(a) of this Appendix contains a requirement that applies to all recycling facilities and is followed by Parts 4(b) to 4(d) of this Appendix, which have requirements for specific types of recycling facilities. Implement and describe in the SWPPP a program to address those items that apply. Included are lists of BMP options which, along with any functional equivalents, should be considered for implementation. Selection or deselection of a particular BMP or approach is up to the best professional judgment of the owner(s) or operator(s) , as long as the objective of the requirement is met.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify the locations of any of the following activities or sources which may be exposed to precipitation / surface runoff: scrap and waste material storage, outdoor scrap and waste processing equipment, and containment areas for turnings exposed to cutting fluids.

b. *Scrap and Waste Recycling Facilities (Non-Source Separated, Non-Liquid Recyclable Materials).* Requirements for facilities that receive, process and do wholesale distribution of non-liquid recyclable wastes (e.g., ferrous and nonferrous metals, plastics, glass, cardboard and paper). These facilities may receive both non recyclable and recyclable materials. This section is not intended for those facilities that only accept recyclables from primarily non-industrial and residential sources.

1. Inbound Recyclable and Waste Material Control Program. Minimize the chance of accepting materials that could be significant sources of pollutants by conducting inspections of inbound recyclables and waste materials. BMP options: a) provide information / education to suppliers of scrap and recyclable waste materials on draining and properly disposing of residual fluids (e.g., from vehicles and equipment engines, radiators and transmissions, oil filled transformers and individual containers or drums), prior to delivery to the facility; b) procedures to minimize the potential of any residual fluids from coming into contact with precipitation / runoff; c) procedures for accepting scrap lead-acid batteries (additional requirements for the handling, storage and disposal or recycling of batteries are contained in the scrap lead-acid battery program provisions in Part 4(b)(6) of this Appendix); d) training targeted for those personnel engaged in the inspection and acceptance of inbound recyclable materials. In addition, e) liquid wastes, including used oil, must be stored in materially compatible and non-leaking containers and disposed or recycled in accordance with RCRA.

2. Scrap and Waste Material Stockpiles / Storage (Outdoor). Minimize contact of stormwater runoff with stockpiled materials, processed materials and non-recyclable wastes. BMP options: a) permanent or semi-permanent covers; b) to facilitate settling or filtering of pollutants: sediment traps, vegetated swales and strips, catch basin filters and sand filters; c) divert runoff away from storage areas via dikes, berms, containment trenches, culverts and surface grading; d) silt fencing; e) oil/water separators, sumps and dry absorbents for areas where potential sources of residual fluids are stockpiled (e.g., automobile engine storage areas).

3. Stockpiling of Turnings Exposed to Cutting Fluids (Outdoor). Minimize contact of surface runoff with residual cutting fluids. BMP options (use singularly or in combination): a) store all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover. Stormwater discharges from these areas are permitted provided the runoff is first treated by an oil/water separator or its equivalent. Identify procedures to collect, handle and dispose / recycle residual fluids which may be present; b) establish dedicated containment areas for all turnings that have been exposed to cutting fluids. Stormwater runoff from these areas can be discharged provided: the containment areas are constructed of either concrete, asphalt or other equivalent types of impermeable material; there is a barrier around the perimeter of the containment areas (e.g., berms, curbing, elevated pads, etc.) to prevent contact with

stormwater run-on; there is a drainage collection system for runoff generated from containment areas; the permittee has a schedule to maintain the oil/water separator (or its equivalent); and the permittee identifies procedures for properly disposing or recycling collected residual fluids.

4. Scrap and Waste Material Stockpiles / Storage (Covered or Indoor Storage). Minimize contact of residual liquids and particulate matter from materials stored indoors or under cover with surface runoff. BMP options: a) good housekeeping measures including the use of dry absorbent or wet vacuuming to contain or dispose / recycle residual liquids originating from recyclable containers; b) not allowing washwater from tipping floors or other processing areas to discharge to the storm sewer system; c) disconnect or seal off all floor drains connected to the storm sewer system.

5. Scrap and Recyclable Waste Processing Areas. Minimize surface runoff from coming in contact with scrap processing equipment. Pay attention to operations that generate visible amounts of particulate residue (e.g., shredding) to minimize the contact of accumulated particulate matter and residual fluids with runoff (i.e., through good housekeeping, preventive maintenance, etc.). BMP options: a) regularly inspect equipment for spills / leaks, and malfunctioning / worn / corroded parts or equipment; b) a preventive maintenance program for processing equipment; c) use of dry-absorbents or other cleanup practices to collect and dispose / recycle spilled / leaking fluids; e) on unattended hydraulic reservoirs over 150 gallons in capacity, install such protection devices as low-level alarms or other equivalent devices, or, alternatively, secondary containment that can hold the entire volume of the reservoir; f) containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, grading to minimize contact of stormwater runoff with outdoor processing equipment or stored materials; g) oil / water separators or sumps; h) permanent or semi-permanent covers in processing areas where there are residual fluids and grease; i) retention / detention ponds or basins; sediment traps, vegetated swales or strips (for pollutant settling / filtration); j) catch basin filters or sand filters.

6. Scrap Lead-Acid Battery Program. Properly handle, store and dispose of scrap lead-acid batteries. BMP options: a) segregate scrap lead-acid batteries from other scrap materials; b) proper handling, storage and disposal of cracked or broken batteries; c) collect and dispose leaking lead-acid battery fluid; d) minimize / eliminate (if possible) exposure of scrap lead-acid batteries to precipitation or runoff; e) employee training for the management of scrap batteries.

7. Spill Prevention and Response Procedures. Minimize stormwater contamination at loading / unloading areas, and from equipment or container failures. BMP options: a) prevention and response measures for areas that are potential sources of fluid leaks / spills; b) immediate containment and clean up of spills / leaks. If malfunctioning equipment is responsible for the spill / leak, repairs should also be conducted as soon as

possible; c) cleanup measures including the use of dry absorbents. If this method is employed, there should be an adequate supply of dry absorbent materials kept onsite and used absorbent must be properly disposed of; d) store drums containing liquids—especially oil and lubricants—either: indoors, in a bermed area, in overpack containers or spill pallets, or in other containment devices; e) install overfill prevention devices on fuel pumps or tanks; f) place drip pans or equivalent measures under leaking stationary equipment until the leak is repaired. The drip pans should be inspected for leaks and potential overflow and all liquids must be properly disposed of (as per RCRA); g) install alarms and / or pump shut off systems on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in the event of a line break. Alternatively, a secondary containment system capable of holding the entire contents of the reservoir plus room for precipitation can be used.

8. Quarterly Inspection Program. Inspect all designated areas of the facility and equipment identified in the plan quarterly.

9. Supplier Notification Program. As appropriate, notify major suppliers which scrap materials will not be accepted at the facility or are only accepted under certain conditions.

c. *Waste Recycling Facilities (Liquid Recyclable Materials).*

1. Waste Material Storage (Indoor). Minimize / eliminate contact between residual liquids from waste materials stored indoors and surface runoff. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. BMP options: a) procedures for material handling (including labeling and marking); b) clean up spills / leaks with dry-absorbent materials or a wet vacuum system; c) appropriate containment structures (trenching, curbing, gutters, etc.); d) a drainage system, including appurtenances (e.g., pumps or ejectors, manually operated valves), to handle discharges from diked or bermed areas. Drainage should be discharged to an appropriate treatment facility, sanitary sewer system, or otherwise disposed of properly. These discharges may require coverage under a separate MEPDES wastewater permit or industrial user permit under the pretreatment program.

2. Waste Material Storage (Outdoor). Minimize contact between stored residual liquids and precipitation or runoff. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112. Discharges of precipitation from containment areas containing used oil must also be in accordance with applicable sections of 40 CFR Part 112. BMP options: a) appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest tank with sufficient extra capacity for precipitation; b) drainage control and other diversionary structures; d) for storage tanks, provide corrosion protection and / or leak detection systems; d) use dry-absorbent materials or a wet vacuum system to collect spills.

3. Trucks and Rail Car Waste Transfer Areas. Minimize pollutants in discharges from truck and rail car loading / unloading areas. Include measures to clean up minor spills / leaks resulting from the transfer of liquid wastes. BMP options: a) containment and diversionary structures to minimize contact with precipitation or runoff; b) use dry clean-up methods, wet vacuuming, roof coverings, or runoff controls.

4. Quarterly Inspections. (See also Part IV(F)(7)(b)(i) At a minimum, the inspections must also include all areas where waste is generated, received, stored, treated or disposed and that are exposed to either precipitation or stormwater runoff.

d. *Recycling Facilities (Source Separated Materials).* The following identifies considerations for facilities that receive only source-separated recyclables, primarily from non-industrial and residential sources.

1. Inbound Recyclable Material Control. Minimize the chance of accepting non-recyclables (e.g., hazardous materials) which could be a significant source of pollutants by conducting inspections of inbound materials. BMP options: a) information / education measures to inform suppliers of recyclables which materials are acceptable and which are not; b) training drivers responsible for pickup of recycled material; c) clearly marking public drop-off containers regarding which materials can be accepted; d) reject non-recyclable wastes or household hazardous wastes at the source; e) procedures for handling and disposal of non-recyclable material.

2. Outdoor Storage. Minimize exposure of recyclables to precipitation and runoff. Use good housekeeping measures to prevent accumulation of particulate matter and fluids, particularly in high traffic areas. Other BMP options: a) provide totally-enclosed drop-off containers for the public; b) install a sump / pump with each container pit and treat or discharge collected fluids to a sanitary sewer system; c) provide dikes and curbs for secondary containment (e.g., around bales of recyclable waste paper); d) divert surface water runoff away from outside material storage areas; e) provide covers over containment bins, dumpsters, roll-off boxes; f) store the equivalent of one day's volume of recyclable material indoors.

3. Indoor Storage and Material Processing. Minimize the release of pollutants from indoor storage and processing areas. BMP options: a) schedule routine good housekeeping measures for all storage and processing areas; b) prohibit tipping floor washwater from draining to the storm sewer system; c) provide employee training on pollution prevention practices.

4. Vehicle and Equipment Maintenance. BMP options for those areas where vehicle and equipment maintenance are occurring outdoors: a) prohibit vehicle and equipment washwater from discharging to the storm sewer system; b) minimize or eliminate outdoor maintenance areas whenever possible; c) establish spill prevention and clean-up procedures in fueling areas; d) avoid topping off fuel tanks; e) divert runoff from fueling areas;

f) store lubricants and hydraulic fluids indoors; g) provide employee training on proper handling, and storage of hydraulic fluids and lubricants.

O. Sector O - Steam Electric Generating Facilities

1. Covered Stormwater Discharges. The requirements in Part VI for Sector O apply to stormwater discharges associated with industrial activity from Steam Electric Power Generating Facilities as identified by the Activity Code specified below.

SECTOR O: STEAM ELECTRIC GENERATING FACILITIES	
SE	Steam Electric Generating Facilities

2. Industrial Activities Covered by Sector O. This permit authorizes stormwater discharges from the following industrial activities at Sector O facilities:

a. steam electric power generation using coal, natural gas, oil, nuclear energy, etc. to produce a steam source, including coal handling areas;

b. coal pile runoff, including effluent limitations established by 40 CFR Part 423;

c. dual fuel co-generation facilities.

3. Limitations on Coverage.

a. *Prohibition of Non-Stormwater Discharges.* Not covered by this permit: non-stormwater discharges subject to effluent limitations guidelines.

b. *Prohibition of Stormwater Discharges.* Not covered by this permit: stormwater discharges from ancillary facilities (e.g., fleet centers, gas turbine stations and substations) that are not contiguous to a steam electric power generating facility; and heat capture co-generation facilities.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify the locations of any of the following activities or sources which may be exposed to precipitation / surface runoff: storage tanks, scrap yards, general refuse areas; short and long term storage of general materials (including but not limited to: supplies, construction materials, paint equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizer and pesticides); landfills, construction sites; stock pile areas (e.g., coal or limestone piles).

b. *Good Housekeeping Measures*. (See also Part IV(F)(7)(b)(i)

1. Fugitive Dust Emissions. Describe and implement measures that prevent or minimize fugitive dust emissions from coal handling areas. Consider such procedures to minimize the tracking of coal dust offsite as installing specially designed tires, or washing vehicles in a designated area before

they leave the site and controlling the wash water.

2. Delivery Vehicles. Describe and implement measures that prevent or minimize contamination of stormwater runoff from delivery vehicles arriving at the plant site. Consider the following: procedures to inspect delivery vehicles arriving at the plant site and ensure overall integrity of the body or container; and procedures to deal with leakage / spillage from vehicles or containers.

3. Fuel Oil Unloading Areas. Describe and implement measures that prevent or minimize contamination of precipitation / surface runoff from fuel oil unloading areas. Consider, at a minimum (or their equivalents): using containment curbs in unloading areas; having personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks / spills are immediately contained and cleaned up; using spill and overflow protection (e.g., drip pans, drip diapers or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).

4. Chemical Loading / Unloading. Describe and implement measures that prevent or minimize contamination of precipitation / surface runoff from chemical loading / unloading areas. Consider, at a minimum (or their equivalents): using containment curbs at chemical loading / unloading areas to contain spill; having personnel familiar with spill prevention and response procedures present during deliveries to ensure that any leaks / spills are immediately contained and cleaned up; and load / unload in covered areas and store chemicals indoors.

5. Miscellaneous Loading / Unloading Areas. Describe and implement measures that prevent or minimize contamination of precipitation / surface runoff from loading / unloading areas. Consider, at a minimum (or their equivalents): covering the loading area; grading, berming, or curbing around the loading area to divert run-on; or locating the loading / unloading equipment and vehicles so leaks are contained in existing containment and flow diversion systems.

6. Liquid Storage Tanks. Describe and implement measures that prevent or minimize contamination of surface runoff from above ground liquid storage tanks. Consider using, at a minimum (or their equivalents): protective guards around tank; containment curbs; spill and overflow protection; and dry cleanup methods.

7. Large Bulk Fuel Storage Tanks. Describe and implement measures that prevent or minimize contamination of surface runoff from large bulk fuel storage tanks. Consider, at a minimum, using containment berms (or its equivalent). The permittee must also comply with other applicable local, State and Federal laws, including Spill Prevention Control and Countermeasures (SPCC).

8. Spill Reduction Measures. Describe and implement measures to reduce

the potential for an oil / chemical spill or reference the appropriate Part of the SPCC plan. At a minimum, visually inspect on a monthly basis, the structural integrity of all above ground tanks, pipelines, pumps and other related equipment, and affect any necessary repairs immediately.

9. Oil Bearing Equipment in Switchyards. Describe and implement measures that prevent or minimize contamination of surface runoff from oil bearing equipment in switchyard areas. Consider using level grades and gravel surfaces to retard flows and limit the spread of spills or collecting runoff in perimeter ditches.

10. Residue Hauling Vehicles. Inspect all residue hauling vehicles for proper covering over the load, adequate gate sealing and overall integrity of the container body. Repair as soon as practicable, vehicles without load covering or adequate gate sealing, or with leaking containers or beds.

11. Ash Loading Areas. Describe and implement procedures to reduce or control the tracking of ash / residue from ash loading areas. Where practicable, clear the ash building floor and immediately adjacent roadways of spillage, debris and excess water before departure of each loaded vehicle.

12. Areas Adjacent to Disposal Ponds or Landfills. Describe and implement measures that prevent or minimize contamination of surface runoff from areas adjacent to disposal ponds or landfills. Develop procedures to reduce ash residue that may be tracked on to access roads traveled by residue handling vehicles, and reduce ash residue on exit roads leading into and out of residue handling areas.

13. Landfills, Scrap yards, Surface Impoundments, Open Dumps, General Refuse Sites. Address these areas in the SWPPP and include appropriate BMPs as referred to in Part IV.

14. Vehicle Maintenance Activities. For vehicle maintenance activities performed on the plant site, use the applicable BMPs outlined in the Appendix.

15. *Material Storage Areas.* Describe and implement measures that prevent or minimize contamination of stormwater runoff from material storage areas (including areas used for temporary storage of miscellaneous products and construction materials stored in lay-down areas). Consider using (or their equivalents): flat yard grades; collecting runoff in graded swales or ditches; erosion protection measures at steep outfall sites (e.g., concrete chutes, riprap, stilling basins); covering lay-down areas; storing materials indoors; and covering materials temporarily with polyethylene, polyurethane, polypropylene or hypalon. Stormwater run-on may be minimized by constructing an enclosure or building a berm around the area.

c. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)(3) As part of

the evaluation, inspect the following areas on a monthly basis: coal handling areas, loading / unloading areas, switchyards, fueling areas, bulk storage areas, ash handling areas, areas adjacent to disposal ponds and landfills, maintenance areas, liquid storage tanks, and long term and short term material storage areas.

5. Monitoring and Reporting Requirements. (See also Part V)

NUMERIC LIMITATIONS FOR COAL PILE RUNOFF			
Parameter	Limit	Monitoring Frequency	Sample Type
Total Suspended Solids (TSS)	50 mg/L, max	1/year	Grab.
pH	6.0-9.0 min. and max	1/year	Grab.

P. Sector P - Land Transportation and Warehousing.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector P apply to stormwater discharges associated with industrial activity from Land Transportation and Warehousing facilities as identified by the Activity Code specified below.

SECTOR P: LAND TRANSPORTATION AND WAREHOUSING	
4011, 4013	Railroad Transportation
4111-4173	Local and Highway Passenger Transportation
4212-4231	Motor Freight Transportation and Warehousing
4311	United States Parcel Service
5171	Petroleum Bulk Stations and Terminals

2. Industrial Activities Covered by Sector P. The types of activities that permittees under Sector P are primarily engaged in are:

a. vehicle and equipment maintenance (vehicle and equipment rehabilitation, mechanical repairs, painting, fueling and lubrication);

b. equipment cleaning.

3. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Site Map.* (See also Part IV(F)(2)(b)) Identify the locations of any of the following activities or sources: fueling stations; vehicle / equipment maintenance or cleaning areas; storage areas for vehicle / equipment with actual or potential fluid leaks; loading / unloading areas; areas where treatment, storage or disposal of wastes occur; liquid storage tanks; processing areas; storage areas; and all monitoring areas.

b. *Potential Pollutant Sources.* (See also Part IV(F)(4) Describe and assess the potential for the following to contribute pollutants to stormwater discharges: onsite waste storage or disposal; dirt / gravel parking areas for vehicles awaiting maintenance; and fueling areas.

c. *Good Housekeeping Measures*. (See also Part IV(F)(7)(b)(i)

1. Vehicle and Equipment Storage Areas. Confine the storage of leaky or leak-prone vehicles / equipment awaiting maintenance to designated areas. Consider the following (or other equivalent measures): the use of drip pans under vehicles / equipment, indoor storage of vehicles and equipment, installation of berms or dikes, use of absorbents, roofing or covering storage areas, and cleaning pavement surfaces to remove oil and

grease.

2. Fueling Areas. Implement and describe measures that prevent or minimize contamination of stormwater runoff from fueling areas. Consider the following (or other equivalent measures): covering the fueling area; using spill / overflow protection and cleanup equipment; minimizing stormwater run-on / runoff to the fueling area; using dry cleanup methods; and treating and / or recycling collected stormwater runoff.

3. Material Storage Areas. Maintain all material storage vessels (e.g., for used oil / oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., "Used Oil," "Spent Solvents," etc.). Consider the following (or other equivalent measures): storing the materials indoors; installing berms / dikes around the areas; minimizing runoff of stormwater to the areas; using dry cleanup methods; and treating and / or recycling collected stormwater runoff.

4. Vehicle and Equipment Cleaning Areas. Implement and describe measures that prevent or minimize contamination of stormwater runoff from all areas used for vehicle / equipment cleaning. Consider the following (or other equivalent measures): performing all cleaning operations indoors; covering the cleaning operation, ensuring that all washwater drains to a proper collection system (i.e., not the stormwater drainage system unless permitted by MEPDES); treating and / or recycling collected stormwater runoff, or other equivalent measures. Note: the discharge of vehicle / equipment washwater, including tank cleaning operations, are not authorized by this permit and must be covered under a separate MEPDES permit or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.

5. Vehicle and Equipment Maintenance Areas. Implement and describe measures that prevent or minimize contamination of stormwater runoff from all areas used for vehicle / equipment maintenance. Consider the following (or other equivalent measures): performing maintenance activities indoors; using drip pans; keeping an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting wet clean up practices if these practices would result in the discharge of pollutants to stormwater drainage systems; using dry cleanup methods; treating and / or recycling collected stormwater runoff, minimizing run on / runoff of stormwater to maintenance areas.

6. Locomotive Sanding (Loading Sand for Traction) Areas. Consider the following (or other equivalent measures): covering sanding areas; minimizing stormwater run on / runoff; or appropriate sediment removal practices to minimize the offsite transport of sanding material by stormwater.

d. *Inspections.* (See also Part IV(F)(7)(b)(i) Inspect all the following areas / activities: storage areas for vehicles / equipment awaiting maintenance, fueling

areas, indoor and outdoor vehicle / equipment maintenance areas, material storage areas, vehicle / equipment cleaning areas and loading / unloading areas.

e. *Employee Training*. (See also Part IV(F)(7)(b)(i) Train personnel at least once a year and address the following, as applicable: used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.

f. *Vehicle and Equipment Washwater Requirements*. (See also Part IV(H)) Attach to or reference in the SWPPP, a copy of the MEPDES permit issued for vehicle / equipment washwater or, if an MEPDES permit has not been issued, a copy of the pending application. If an industrial user permit is issued under a pretreatment program, attach a copy of the SWPPP. In any case, address all non-stormwater permit conditions or pretreatment conditions in the SWPPP. If washwater is handled in another manner (e.g., hauled offsite), describe the disposal method and attach all pertinent documentation / information (e.g., frequency, volume, destination, etc.) in the plan.

Q. Sector Q - Water Transportation.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector Q apply to stormwater discharges associated with industrial activity from Water Transportation facilities as identified by the Activity Code specified below.

SECTOR Q: WATER TRANSPORTATION	
4412-4499	Water Transportation

2. Industrial Activities Covered by Sector Q. The requirements listed under this Part apply to stormwater discharges associated with the following activities:

a. water transportation facilities classified in SIC Code major group 44 that have vehicle (vessel) maintenance shops and/or equipment cleaning operations including:

1. water transportation industry includes facilities engaged in foreign or domestic transport of freight or passengers in deep sea or inland waters;

2. marine cargo handling operations;

3. ferry operations;

4. towing and tugboat services;

5. marinas.

3. Limitations on Coverage.

a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3)(d)) Not covered by this permit: bilge and ballast water, sanitary wastes, pressure wash water and cooling water originating from vessels.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: fueling; engine maintenance / repair; vessel maintenance / repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading / unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

b. *Summary of Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the

following additional sources and activities that have potential pollutants associated with them: outdoor manufacturing or processing activities (i.e., welding, metal fabricating); and significant dust or particulate generating processes (e.g., abrasive blasting, sanding, painting)

c. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i))

1. Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted by a separate MEPDES permit. Describe in the SWPPP: the measures to collect or contain the discharges from the pressures washing area; the method for the removal of the visible solids; the methods of disposal of the collected solids; and where the discharge will be released.

2. Blasting and Painting Area. Implement and describe measures to prevent spent abrasives, paint chips and over spray from discharging into the receiving water or the storm sewer systems. Consider containing all blasting / painting activities or use other measures to prevent or minimize the discharge of the contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). Where necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips. Detail in the SWPPP any standard operating practices relating to blasting / painting (e.g., prohibiting uncontained blasting / painting over open water, or prohibiting blasting / painting during windy conditions which can render containment ineffective).

3. Material Storage Areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Implement and describe measures to prevent or minimize the contamination of precipitation / surface runoff from the storage areas. Specify which materials are stored indoors and consider containment or enclosure for those stored outdoors. If abrasive blasting is performed, discuss the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite.

4. Engine Maintenance and Repair Areas. Implement and describe measures to prevent or minimize the contamination of precipitation / surface runoff from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting the practice of hosing down the shop floor; using dry cleanup methods; and treating and / or recycling stormwater runoff collected from the maintenance area.

5. Material Handling Area. Implement and describe measures to prevent or minimize the contamination of precipitation / surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the

following (or their equivalents): covering fueling areas; using spill / overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and minimizing runoff of stormwater to material handling areas.

6. Drydock Activities. Describe the procedures for routinely maintaining / cleaning the drydock to prevent or minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease or fuel spills occurring on the drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris / spent blasting material from accessible areas of the drydock prior to flooding, and having absorbent materials and oil containment booms readily available to contain / cleanup any spills.

7. General Yard Area. Implement and describe a schedule for routine yard maintenance and cleanup. Regularly remove from the general yard area: scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc.

d. *Preventative Maintenance*. (See also Part IV(F)(7)(b)(i)) As part of the preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil / water separators and sediment traps to ensure that spent abrasives, paint chips and solids will be intercepted and retained prior to entering the storm drainage system) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

e. *Inspections.* (See also Part IV(F)(7)(b)(i)) Include the following areas in all monthly inspections: pressure washing area; blasting, sanding and painting areas; material storage areas; engine maintenance / repair areas; material handling areas; drydock area; and general yard area.

f. *Employee Training.* (See also Part IV(F)(7)(b)(i)) As part of the employee training program, address, at a minimum, the following activities (as applicable): used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and used battery management.

g. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)) Conduct regularly scheduled evaluations at least once a year and address those areas contributing to a stormwater discharge associated with industrial activity (e.g., pressure washing area, blasting / sanding areas, painting areas, material storage areas, engine maintenance / repair areas, material handling areas, and drydock area). Inspect these sources for evidence of, or the potential for, pollutants entering the drainage system.

R. Sector R -Ship and Boat Building or Repair Yards.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector R apply to stormwater discharges associated with industrial activity from Ship and Boat Building or Repair Yards as identified by the Activity Codes specified below.

SECTOR R: SHIP AND BOAT BUILDING OR REPAIRING YARDS	
3731, 3732	Ship and Boat Building or Repairing Yards

2. Industrial Activities Covered by Sector R. The types of activities that permittees under Sector R are primarily engaged in are:

   a. ship building and repairing and boat building and repairing[11]

3. Limitations on Coverage.

   a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3)(d)) Not covered by this permit: discharges containing bilge and ballast water, sanitary wastes, pressure wash water and cooling water originating from vessels.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: fueling; engine maintenance / repair; vessel maintenance / repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; loading / unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; liquid storage areas (e.g., paint, solvents, resins); and material storage areas (e.g., blasting media, aluminum , steel, scrap iron).

   b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following additional sources and activities that have potential pollutants associated with them (if applicable): outdoor manufacturing / processing activities (e.g., welding, metal fabricating); and significant dust / particulate generating processes (e.g., abrasive blasting , sanding, painting).

   c. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i))

      1. Pressure Washing Area. If pressure washing is used to remove marine growth from vessels, the discharge water must be permitted as a process wastewater by a separate MEPDES permit.

[11] According to the U.S. Coast Guard, a vessel 65 feet or greater in length is referred to as a ship, and a vessel smaller than 65 feet is a boat.

2. Blasting and Painting Area. Implement and describe measures to prevent spent abrasives, paint chips and over spray from discharging into the receiving water or the storm sewer systems. Consider containing all blasting / painting activities or use other measures to prevent the discharge of contaminants (e.g., hanging plastic barriers or tarpaulins during blasting or painting operations to contain debris). Where necessary, regularly clean stormwater conveyances of deposits of abrasive blasting debris and paint chips. Detail in the SWPPP any standard operating practices relating to blasting / painting (e.g., prohibiting uncontained blasting / painting over open water, or prohibiting blasting / painting during windy conditions which can render containment ineffective).

3. Material Storage Areas. Store and plainly label all containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) in a protected, secure location away from drains. Implement and describe measures to prevent or minimize the contamination of precipitation / surface runoff from the storage areas. Specify which materials are stored indoors and consider containment or enclosure for those stored outdoors. If abrasive blasting is performed, discus the storage and disposal of spent abrasive materials generated at the facility. Consider implementing an inventory control plan to limit the presence of potentially hazardous materials onsite.

4. Engine Maintenance and Repair Areas. Implement and describe measures to prevent or minimize the contamination of precipitation / surface runoff from all areas used for engine maintenance and repair. Consider the following (or their equivalents): performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluid prior to disposal; prohibiting the practice of hosing down the shop floor; using dry cleanup methods; and treating and / or recycling stormwater runoff collected from the maintenance area.

5. Material Handling Area. Implement and describe measures to prevent or minimize the contamination of precipitation / surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater streams from vessels). Consider the following (or their equivalents): covering fueling areas; using spill / overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and minimizing run-on of stormwater to material handling areas.

6. Drydock Activities. Describe the procedures for routinely maintaining / cleaning the drydock to prevent or minimize pollutants in stormwater runoff. Address the cleaning of accessible areas of the drydock prior to flooding, and final cleanup following removal of the vessel and raising the dock. Include procedures for cleaning up oil, grease or fuel spills occurring on the drydock. Consider the following (or their equivalents): sweeping rather than hosing off debris / spent blasting material from accessible areas of the drydock prior to flooding, and having absorbent materials and oil containment booms readily available to contain / cleanup

any spills.

7. General Yard Area. Implement and describe a schedule for routine yard maintenance and cleanup. Regularly remove from the general yard area: scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc.

d. *Preventative Maintenance.* (See also Part IV(F)(7)(b)(i)) As part of the preventive maintenance program, perform timely inspection and maintenance of stormwater management devices (e.g., cleaning oil / water separators and sediment traps to ensure that spent abrasives, paint chips and solids will be intercepted and retained prior to entering the storm drainage system) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

e. *Inspections.* (See also Part IV(F)(7)(b)(i)) Include the following areas in all monthly inspections: pressure washing area; blasting, sanding and painting areas; material storage areas; engine maintenance / repair areas; material handling areas; drydock area; and general yard area.

f. *Employee Training.* (See also Part IV(F)(7)(b)(i)) As part of the employee training program, address, at a minimum, the following activities (as applicable): used oil management; spent solvent management; disposal of spent abrasives; disposal of vessel wastewaters; spill prevention and control; fueling procedures; general good housekeeping practices; painting and blasting procedures; and used battery management.

g. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)) Conduct regularly scheduled evaluations at least once a year and address those areas contributing to a stormwater discharge associated with industrial activity (e.g., pressure washing area, blasting / sanding areas, painting areas, material storage areas, engine maintenance / repair areas, material handling areas, and drydock area). They must be visually inspected for evidence of, or the potential for, pollutants entering the drainage system.

S. Sector S - Air Transportation

1. Covered Stormwater Discharges. The requirements in Part VI for Sector S apply to stormwater discharges associated with industrial activity from Air Transportation facilities as identified by the SIC Codes specified below.

SECTOR S: AIR TRANSPORTATION	
4512-4581	Air Transportation Facilities

2. Industrial Activities Covered by Sector S. The types of activities that permittees under Sector S are primarily engaged in are:

   a. air transportation, scheduled, and air courier;

   b. air transportation, non scheduled;

   c. airports; flying fields, except those maintained by aviation clubs; and airport terminal services including: air traffic control, except government; aircraft storage at airports; aircraft upholstery repair; airfreight handling at airports; airport hangar rental; airport leasing, if operating airport; airport terminal services; and hangar operations.

   d. airport and aircraft service and maintenance including: aircraft cleaning and janitorial service; aircraft servicing / repairing, except on a factory basis; vehicle maintenance shops; material handling facilities; equipment clearing operations; and airport and aircraft deicing / anti-icing.

   Note: "deicing" will generally be used to imply both deicing (removing frost, snow or ice) and anti-icing (preventing accumulation of frost, snow or ice) activities, unless specific mention is made regarding anti-icing and / or deicing activities.

3. Limitations on Coverage. Only those portions of the facility that are involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations or deicing operations are addressed in this Appendix.

   a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3)(d)) Not covered by this permit: aircraft, ground vehicle, runway and equipment washwaters; and dry weather discharges of deicing chemicals. These discharges must be covered by a separate MEPDES permit.

4. Special Conditions. *Hazardous Substances or Oil.* Each individual permittee is required to report spills equal to or exceeding the reportable quantity (RQ) levels specified at 40 CFR 110, 117 and 302. See also 38 M.R.S.A. § 543, 550 and 1318-B. If an airport authority is the sole permittee, then the sum total of all spills at the airport must be

assessed against the RQ. If the airport authority is a co-permittee with other deicing operators at the airport, such as numerous different airlines, the assessed amount must be the summation of spills by each co-permittee. If separate, distinct individual permittees exist at the airport, then the amount spilled by each separate permittee must be the assessed amount for the RQ determination.

5. SWPPP Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV of the MSGP (See also Part IV(E)). If an airport's tenant has a SWPPP for discharges from their own areas of the airport, that SWPPP must be integrated with the plan for the entire airport. Tenants of the airport facility include air passenger or cargo companies, fixed based operators and other parties who have contracts with the airport authority to conduct business operations on airport property and whose operations result in stormwater discharges associated with industrial activity.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: aircraft and runway deicing operations; fueling stations; aircraft, ground vehicle and equipment maintenance / cleaning areas; storage areas for aircraft, ground vehicles and equipment awaiting maintenance.

   b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Include in the inventory of exposed materials a description of the potential pollutant sources from the following activities: aircraft, runway, ground vehicle and equipment maintenance and cleaning; aircraft and runway deicing operations (including apron and centralized aircraft deicing stations, runways, taxiways and ramps). If the permittee uses deicing chemicals, the permittee must maintain a record of the types (including the Material Safety Data Sheets [MSDS]) used and the monthly quantities, either as measured or, in the absence of metering, as estimated to the best of the facility's owner(s) or operator(s) knowledge. This includes all deicing chemicals, not just glycols and urea (e.g., potassium acetate), because large quantities of these other chemicals can still have an adverse impact on receiving waters. Tenants or other fixed-based operations that conduct deicing operations must provide the above information to the airport authority for inclusion in any comprehensive airport SWPPPs.

   c. *Good Housekeeping Measures.* (See also IV(F)(7))

      1. Aircraft, Ground Vehicle and Equipment Maintenance Areas. Describe and implement measures that prevent or minimize the contamination of stormwater runoff from all areas used for aircraft, ground vehicle and equipment maintenance (including the maintenance conducted on the terminal apron and in dedicated hangers). Consider the following practices (or their equivalents): performing maintenance activities indoors; maintaining an organized inventory of material used in the maintenance areas; draining all parts of fluids prior to disposal; preventing the practice of hosing down the apron or hanger floor; using dry cleanup methods; and collecting the stormwater runoff from the maintenance area and providing treatment or recycling.

2. Aircraft, Ground Vehicle and Equipment Cleaning Areas. Clean equipment only in the areas identified in the SWPPP and site map and clearly demarcate these areas on the ground. Describe and implement measures that prevent or minimize the contamination of stormwater runoff from cleaning areas.

3. Aircraft, Ground Vehicle and Equipment Storage Areas. Store all aircraft, ground vehicles and equipment awaiting maintenance in designated areas only. Consider the following BMPs (or their equivalents): storing aircraft and ground vehicles indoors; using drip pans for the collection of fluid leaks; and perimeter drains, dikes or berms surrounding the storage areas.

4. Material Storage Areas. Maintain the vessels of stored materials (e.g., used oils, hydraulic fluids, spent solvents, and waste aircraft fuel) in good condition, to prevent or minimize contamination of stormwater. Also plainly label the vessels (e.g., "used oil," "Contaminated Jet A," etc.). Describe and implement measures that prevent or minimize contamination of precipitation / runoff from these areas. Consider the following BMPs (or their equivalents): storing materials indoors; storing waste materials in a centralized location; and installing berms / dikes around storage areas.

5. Airport Fuel System and Fueling Areas. Describe and implement measures that prevent or minimize the discharge of fuel to the storm sewer / surface waters resulting from fuel servicing activities or other operations conducted in support of the airport fuel system. Consider the following BMPs (or their equivalents): implementing spill and overflow practices (e.g., placing absorptive materials beneath aircraft during fueling operations); using dry cleanup methods; and collecting stormwater runoff.

6. Source Reduction. Consider alternatives to the use of urea and glycol-based deicing chemicals to reduce the aggregate amount of deicing chemicals used and / or lessen the environmental impact. Chemical options to replace ethylene glycol, propylene glycol and urea include: potassium acetate; magnesium acetate; calcium acetate; anhydrous sodium acetate.

• Runway Deicing Operation: Evaluate, at a minimum, whether over-application of deicing chemicals occurs by analyzing application rates and adjusting as necessary, consistent with considerations of flight safety. Also consider these BMP options (or their equivalents): metered application of chemicals; pre-wetting dry chemical constituents prior to application; installing a runway ice detection system; implementing anti-icing operations as a preventive measure against ice buildup.

• Aircraft Deicing Operations: Determine whether excessive application of deicing chemicals occurs and adjust as necessary, consistent with considerations of flight safety. This evaluation must be carried out by the personnel most familiar with the particular aircraft and flight operations in question (vice an outside entity such as the airport authority). Consider

using alternative deicing / anti-icing agents as well as containment measures for all applied chemicals. Also consider these BMP options (or their equivalents) for reducing deicing fluid use: forced-air deicing systems, computer-controlled fixed-gantry systems, infrared technology, hot water, varying glycol content to air temperature, enclosed-basket deicing trucks, mechanical methods, solar radiation, hangar storage, aircraft covers, and thermal blankets for MD-80s and DC-9s. Also consider using ice-detection systems and airport traffic flow strategies and departure slot allocation systems.

7. Management of Runoff. Where deicing operations occur, describe and implement a program to control or manage contaminated runoff to reduce the amount of pollutants being discharged from the site. Consider these BMP options (or their equivalents): a dedicated deicing facility with a runoff collection / recovery system; using vacuum / collection trucks; storing contaminated stormwater / deicing fluids in tanks and releasing controlled amounts to a publicly owned treatment works; collecting contaminated runoff in a wet pond for biochemical decomposition (be aware of attracting wildlife that may prove hazardous to flight operations); and directing runoff into vegetative swales or other infiltration measures. Also consider recovering deicing materials when these materials are applied during non-precipitation events (e.g., covering storm sewer inlets, using booms, installing absorptive interceptors in the drains, etc.) to prevent these materials from later becoming a source of stormwater contamination. Used deicing fluid should be recycled whenever possible.

d. *Inspections.* (See also Part IV(F)(7)(b)(i)) Specify the frequency of inspections in the SWPPP. At a minimum they must be conducted monthly during the deicing season. If the facility needs to deice before or after this period, expand the monthly inspections to include all months during which deicing chemicals may be used. Also, if significantly or deleteriously large quantities of deicing chemicals are being spilled or discharged, or if water quality impacts have been reported, increase the frequency of the inspections to weekly until such time as the chemical spills / discharges or impacts are reduced to acceptable levels. The Department may specifically require the permittee to increase inspections and SWPPP reevaluations as necessary.

e. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)) Using only qualified personnel, conduct one of the Comprehensive Site Compliance Evaluations during periods of actual deicing operations, if possible. If not practicable during active deicing or the weather is too inclement, conduct the evaluations when deicing operations are likely to occur and the materials and equipment for deicing are in place.

T Sector T - Treatment Works.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector T apply to stormwater discharges associated with industrial activity from Treatment Works as identified by the Activity Code specified below.

SECTOR T: TREATMENT WORKS	
TW	Treatment Works

2. Industrial Activities Covered by Sector T. The requirements listed under this Part apply to all existing point source stormwater discharges associated with the following activities:

a. Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling and reclamation of municipal or domestic sewage; including land dedicated to the disposal of sewage sludge; that are located within the confines of the facility with a design flow of 1.0 MGD or more; or required to have an approved pretreatment program under 40 CFR Part 403.

b. Not required to have permit coverage: farm lands; domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility; or areas that are in compliance with Section 405 of the CWA.

3. Limitations on Coverage.

a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3)) Not authorized by this permit: sanitary and industrial wastewater; and equipment / vehicle washwater.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

a. *Site Map.* (See also Part IV(F)(2)(b)(6)) Identify where any of the following may be exposed to precipitation / surface runoff: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides and pesticides.

b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads / rail lines.

c. *Best Management Practices (BMPs).* (See also Part IV(F)(7)(b)) In addition to the other BMPs considered, consider the following: routing stormwater to the treatment works; or covering exposed materials (i.e., from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station).

d. *Inspections.* (See also Part IV(F)(7)(b)(i)) Include the following areas in all inspections: access roads / rail lines; grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station areas.

e. *Employee Training.* (See also Part IV(F)(7)(b)(i)) At a minimum, must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; proper procedures for using fertilizer, herbicides and pesticides.

f. *Wastewater and Washwater Requirements.* (See also Part IV(H)) Attach to the SWPPP a copy of all the current MEPDES permits issued for wastewater, industrial, vehicle and equipment washwater discharges or, if an MEPDES permit has not yet been issued, a copy of the pending applications. Address any requirements / conditions from the other permits, as appropriate, in the SWPPP. If the washwater is handled in another manner, the disposal method must be described and all pertinent documentation must be attached to the plan.

U. Sector U - Food and Kindred Products

1. Covered Stormwater Discharges. The requirements in Part VI for Sector U apply to stormwater discharges associated with industrial activity from Food and Kindred Products facilities as identified by the SIC Codes specified below .

SECTOR U: FOOD AND KINDRED PRODUCTS	
2011-2015	Meat Products
2021-2026	Dairy Products
2032	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
2041-2048	Grain Mill Products
2051-2053	Bakery Products
2061-2068	Sugar and Confectionary Products
2074-2079	Fats and Oils
2082-2087	Beverages
2091-2099	Miscellaneous Food Preparations and Kindred Products
2111-2141	Tobacco Products

2. Industrial Activities Covered by Sector U. The types of activities that permittees under Sector U are primarily engaged in are:

   a. meat products;

   b. dairy products;

   c. canned, frozen and preserved fruits, vegetables, and food specialties;

   d. grain mill products;

   e. bakery products;

   f. sugar and confectionery products;

   g. fats and oils;

   h. beverages;

   i. miscellaneous food preparations and kindred products and tobacco products manufacturing.

3. Limitations on Coverage. Not covered by this permit: stormwater discharges identified under Part I(B)(3) from industrial plant yards, material handling sites; refuse sites; sites used for application or disposal of process wastewaters; sites used for storage and maintenance of material handling equipment; sites used for residential wastewater treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; and storage areas for raw material and intermediate and finished products. This includes areas where industrial activity has taken place in the past and significant materials remain. "Material handling activities" include the storage, loading / unloading, transportation or conveyance of any raw material, intermediate product, finished product, by-product or waste product.

   a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(2)) Discharges subject to Part I(B)(2) which contain the following are not authorized by this permit: boiler blowdown, cooling tower overflow and blowdown, ammonia refrigeration purging and vehicle washing / clean-out operations.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify the locations of the following activities if they are exposed to precipitation / runoff: vents / stacks from cooking, drying and similar operations; dry product vacuum transfer lines; animal holding pens; spoiled product; and broken product container storage areas.

   b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe, in addition to food and kindred products processing-related industrial activities, application and storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides, etc.) used on plant grounds.

   c. *Inspections.* (See also Part IV(F)(7)(b)(i)) Inspect on a regular basis, at a minimum, the following areas where the potential for exposure to stormwater exists: loading and unloading areas for all significant materials; storage areas including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

   d. *Employee Training.* (See also Part IV(F)(7)(b)(i)) Address pest control in the training program.

V. Sector V - Textile Mills, Apparel and Other Fabric Products

1. Covered Stormwater Discharges**.** The requirements in Part VI for Sector V apply to stormwater discharges associated with industrial activity from Textile Mills, Apparel, and Other Fabric Product Manufacturing as identified by the Activity Code specified below.

SECTOR V: TEXTILE MILLS, APPAREL, AND OTHER FABRIC PRODUCT MANUFACTURING, LEATHER AND LEATHER PRODUCTS	
2211-2299	Textile Mill Products
2311-2399	Apparel and Other Finished Products Made From Fabrics and Similar Materials
3131-3199 (except 3111)	Leather and Leather Products, except Leather Tanning and Finishing (see Sector Z)

2. Industrial Activities Covered by Sector V. The types of activities that permittees under Sector V are primarily engaged in are:

   a. textile mill products, of and regarding facilities and establishments engaged in the preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine, and cordage, the manufacturing of broad woven fabrics, narrow woven fabrics, knit fabrics, and carpets and rugs from yarn;

   b. processes involved in the dyeing and finishing of fibers, yarn fabrics, and knit apparel;

   c. the integrated manufacturing of knit apparel and other finished articles of yarn;

   d. the manufacturing of felt goods (wool), lace goods, non-woven fabrics, miscellaneous textiles, and other apparel products.

3. Limitations on Coverage**.**

   a. *Prohibition of Non-Stormwater Discharges.* (See also Part I(B)(3)) Not authorized by this permit: discharges of wastewater (e.g., wastewater resulting from wet processing or from any processes relating to the production process); reused / recycled water; and waters used in cooling towers. If the permittee has these types of discharges from the facility, the permittee must cover them under a separate MEPDES permit.

4. Stormwater Pollution Prevention Plan (SWPPP) Requirements**.** In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following additional sources and activities that have potential pollutants associated with

them: industrial-specific significant materials and industrial activities (e.g., backwinding, beaming, bleaching, backing bonding, carbonizing, carding, cut and sew operations, desizing, drawing, dyeing locking, fulling, knitting, mercerizing, opening, packing, plying, scouring, slashing, spinning, synthetic-felt processing, textile waste processing, tufting, turning, weaving, web forming, winging, yarn spinning, and yarn texturing).

b. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i))

1. Material Storage Area. Plainly label and store all containerized materials (e.g., fuels, petroleum products, solvents, dyes, etc.) in a protected area, away from drains. Describe and implement measures that prevent or minimize contamination of the stormwater runoff from such storage areas, including a description of the containment area or enclosure for those materials stored outdoors. Also consider an inventory control plan to prevent excessive purchasing of potentially hazardous substances. For storing empty chemical drums / containers, ensure the drums / containers are clean (consider triple-rinsing) and there is no contact of residuals with precipitation / runoff. Collect and dispose of washwater from these cleanings properly.

2. Material Handling Area. Describe and implement measures that prevent or minimize contamination of stormwater runoff from material handling operations and areas. Consider the following (or their equivalents): use of spill / overflow protection; covering fueling areas; and covering / enclosing areas where the transfer of material may occur. Where applicable address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals, dyes or wastewater.

3. Fueling Areas. Describe and implement measures that prevent or minimize contamination of stormwater runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing run-on of stormwater to the fueling areas, using dry cleanup methods, and treating and / or recycling stormwater runoff collected from the fueling area.

4. Above Ground Storage Tank Area. Describe and implement measures that prevent or minimize contamination of the stormwater runoff from above ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regular cleanup of these areas; preparation of the spill prevention control and countermeasure program, provide spill and overflow protection; minimizing runoff of stormwater from adjacent areas; restricting access to the area; insertion of filters in adjacent catch basins; providing absorbent booms in unbermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

c. *Inspections.* (See also PartIV(F)(7)(b)(1)) Inspect, at least on a monthly basis, the following activities and areas (at a minimum): transfer and transmission lines;

spill prevention; good housekeeping practices; management of process waste products; all structural and non structural management practices.

d. *Employee Training.* (See also Part IV(F)(7)(b)(i) As part of the employee training program, address, at a minimum, the following activities (as applicable): use of reused / recycling waters; solvents management; proper disposal of dyes; proper disposal of petroleum products and spent lubricants; spill prevention and control; fueling procedures; and general good housekeeping practices.

e. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)) Conduct regularly scheduled evaluations at least once a year and address those areas contributing to a stormwater discharge associated with industrial activity for evidence of, or the potential for, pollutants entering the drainage system. Inspect, at a minimum, as appropriate: storage tank areas; waste disposal and storage areas; dumpsters and open containers stored outside; materials storage areas; engine maintenance and repair areas; material handing areas and loading dock areas.

W. Sector W - Furniture and Fixtures

1. Covered Stormwater Discharges. The requirements in Part VI for Sector W apply to stormwater discharges associated with industrial activity from Furniture and Fixtures facilities as identified by the Activity Code specified below.

SECTOR W: FURNITURE AND FIXTURES	
2434	Wood Kitchen Cabinets
2511-2599	Furniture and Fixtures

2. Industrial Activities Covered by Sector W**.** The types of activities that permittees under Sector W are primarily engaged in the manufacturing of:

   a. wood kitchen cabinets;

   b. household furniture;

   c. office furniture;

   d. public buildings and related furniture;

   e. partitions, shelving, lockers, and office and store fixtures;

   f. miscellaneous furniture and fixtures.

3. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: material storage (including tanks or other vessels used for liquid or waste storage) areas; outdoor material processing areas; areas where wastes are treated, stored or disposed; access roads; and rail spurs.

X. Sector X - Printing and Publishing.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector X apply to stormwater discharges associated with industrial activity from Printing and Publishing facilities as identified by the SIC Codes specified below.

SECTOR X: PRINTING AND PUBLISHING	
2711-2796	Printing, Publishing and Allied Industries

2. Industrial Activities Covered by Sector X. The types of activities that permittees under Sector X are primarily engaged in are:

   a. book printing;

   b. commercial printing and lithographics;

   c. plate making and related services;

   d. commercial printing, gravure;

   e. commercial printing not elsewhere classified.

3. Stormwater Pollution Prevention Plan Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: above ground storage tanks, drums and barrels permanently stored outside.

   b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following additional sources and activities that have potential pollutants associated with them, as applicable: loading and unloading operations; outdoor storage activities; significant dust or particulate generating processes; and onsite waste disposal practices (e.g., blanket wash). Also identify the pollutant or pollutant parameter (e.g., oil and grease, scrap metal, etc.) associated with each pollutant source.

   c. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i))

      1. Material Storage Areas. Plainly label and store all containerized materials (e.g., skids, pallets, solvents, bulk inks, and hazardous waste, empty drums, portable/mobile containers of plant debris, wood crates, steel racks, fuel oil, etc.) in a protected area, away from drains. Describe and implement measures that prevent or minimize contamination of the stormwater runoff from such storage areas, including a description of the containment area or enclosure for those materials stored outdoors. Also consider an inventory control plan to prevent excessive purchasing of

potentially hazardous substances.

2. Material Handling Area. Describe and implement measures that prevent or minimize contamination of stormwater runoff from material handling operations and areas (e.g., blanket wash, mixing solvents, loading / unloading materials). Consider the following (or their equivalents): use of spill / overflow protection; covering fueling areas; and covering / enclosing areas where the transfer of materials may occur. Where applicable address the replacement or repair of leaking connections, valves, transfer lines and pipes that may carry chemicals or wastewater.

3. Fueling Areas. Describe and implement measures that prevent or minimize contamination of stormwater runoff from fueling areas. Consider the following (or their equivalents): covering the fueling area, using spill and overflow protection, minimizing runoff of stormwater to the fueling areas, using dry cleanup methods, and treating and / or recycling stormwater runoff collected from the fueling area.

4. Above Ground Storage Tank Area. Describe and implement measures that prevent or minimize contamination of the stormwater runoff from above ground storage tank areas, including the associated piping and valves. Consider the following (or their equivalents): regular cleanup of these areas; preparation of the spill prevention control and countermeasure program, provide spill and overflow protection; minimizing runoff of stormwater from adjacent areas; restricting access to the area; insertion of filters in adjacent catch basins; providing absorbent booms in unbermed fueling areas; using dry cleanup methods; and permanently sealing drains within critical areas that may discharge to a storm drain.

d. *Employee Training.* (See also Part IV(F)(7)(b)(i)) As part of the employee training program, address, at a minimum, the following activities (as applicable): spent solvent management; spill prevention and control; used oil management; fueling procedures; and general good housekeeping practices.

Y. Sector Y -Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries

1. Covered Stormwater Discharges. The requirements in Part VI for Sector Y apply to stormwater discharges associated with industrial activity from Rubber, Miscellaneous Plastic Products and Miscellaneous Manufacturing Industries facilities as identified by the SIC Codes specified below.

SECTOR Y: RUBBER, MISCELLANEOUS PLASTIC PRODUCTS, AND MISCELLANEOUS MANUFACTURING INDUSTRIES	
3011	Tires and Inner Tubes
3021	Rubber and Plastics Footwear
3052, 3053	Gaskets, Packing, and Sealing Devices and Rubber and Plastic Hose and Belting
3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
3081-3089	Miscellaneous Plastics Products
3931	Musical Instruments
3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods
3951-3955 (except 3952 facilities as specified in Sector C)	Pens, Pencils, and Other Artist's Materials
3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
3991-3999	Miscellaneous Manufacturing Industries

2. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Review the use of zinc at the facility and the possible pathways through which zinc may be discharged in stormwater runoff.

   b. *Controls for Rubber Manufacturers*. (See also Part IV(F)(7)) Describe and implement specific controls to minimize the discharge of zinc in the stormwater discharges. Parts VI(Y)(2)(b)(1) to VI(Y)(2)(b)(5) give possible sources of zinc to be reviewed and list some specific BMPs to be considered for implementation (or their equivalents). Some general BMP options to consider: using chemicals which are purchased in pre-weighed, sealed polyethylene bags; storing materials which are in use in sealable containers; ensuring an airspace between the

container and the cover to minimize "puffing" losses when the container is opened; and using automatic dispensing and weighing equipment.

c. Inadequate Housekeeping. Review the handling and storage of zinc bags at the facility. BMP options: employee training on the handling / storage of zinc bags; indoor storage of zinc bags; cleanup zinc spills without washing the zinc into the storm drain, and the use of 2,500-pound sacks of zinc rather than 50- to 100-pound sacks;

d. Dumpsters. Reduce discharges of zinc from dumpsters. BMP options: covering the dumpster; moving the dumpster indoors; or provide a lining for the dumpster.

e. Malfunctioning Dust Collectors or Baghouses: Review dust collectors / baghouses as possible sources of zinc in stormwater runoff. Replace or repair, as appropriate, improperly operating dust collectors / baghouses

f. *Grinding Operations.* Review dust generation from rubber grinding operations and, as appropriate, install a dust collection system.

g. Zinc Stearate Coating Operations. Detail appropriate measures to prevent or clean up drips / spills of zinc stearate slurry that may be released to the storm drain. BMP option: using alternate compounds to zinc stearate.

h. *Controls for Plastic Products Manufacturers*. Describe and implement specific controls to minimize the discharge of plastic resin pellets in the stormwater discharges. BMPs to be considered for implementation (or their equivalents): minimizing spills; cleaning up of spills promptly and thoroughly; sweeping thoroughly; pellet capturing; employee education and disposal precautions.

Z. Sector Z - Leather Tanning and Finishing.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector Z apply to stormwater discharges associated with industrial activity from Leather Tanning and Finishing facilities as identified by the SIC Codes specified below.

SECTOR Z: LEATHER TANNING AND FINISHING	
3111	Leather Tanning and Finishing

2. Industrial Activities Covered by Sector Z. The types of activities that permittees under Sector Z are primarily engaged are leather tanning, curry and finishing;

3. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: processing and storage areas of the beamhouse, tanyard, and re-tan wet finishing and dry finishing operations; and haul roads, access roads and rail spurs.

   b. *Potential Pollutant Sources.* (See also Part IV(F)(4)) At a minimum, describe the following additional sources and activities that have potential pollutants associated with them (as appropriate): temporary or permanent storage of fresh and brine cured hides; extraneous hide substances and hair; leather dust, scraps, trimmings and shavings; chemical drums, bags, containers and above ground tanks; empty chemical containers and bags; spent solvents; floor sweepings / washings; refuse, waste piles and sludge; and significant dust / particulate generating processes (e.g., buffing).

   c. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i))

      1. Storage Areas for Raw, Semiprocessed or Finished Tannery Byproducts. Pallets/ bales of raw, semiprocessed or finished tannery byproducts (e.g., splits, trimmings, shavings, etc.) should be stored indoors or protected by polyethylene wrapping, tarpaulins, roofed storage, etc. Consider placing materials on an impermeable surface, and enclosing or putting berms (or equivalent measures) around the area to prevent stormwater run-on / runoff.

      2. Material Storage Areas. Label storage containers of all materials (e.g., specific chemicals, hazardous materials, spent solvents, waste materials). Describe and implement measures that prevent / minimize contact with stormwater.

      3. Buffing and Shaving Areas. Describe and implement measures that prevent or minimize contamination of stormwater runoff with leather dust

from buffing/ shaving areas. Consider dust collection enclosures, preventive inspection/ maintenance programs or other appropriate preventive measures.

4. Receiving, Unloading, and Storage Areas. Describe and implement measures that prevent or minimize contamination of stormwater runoff from receiving, unloading, and storage areas. If these areas are exposed, consider (or their equivalent): covering all hides and chemical supplies; diverting drainage to the process sewer; or grade berming / curbing area to prevent runoff of stormwater.

5. Outdoor Storage of Contaminated Equipment. Describe and implement measures that prevent or minimize contact of stormwater with contaminated equipment. Consider (or their equivalent): covering equipment; diverting drainage to the process sewer; and cleaning thoroughly prior to storage.

6. Waste Management. Describe and implement measures that prevent or minimize contamination of stormwater runoff from waste storage areas. Consider (or their equivalent): inspection / maintenance programs for leaking containers or spills; covering dumpsters; moving waste management activities indoors; covering waste piles with temporary covering material such as tarpaulins or polyethylene; and minimizing stormwater runoff by enclosing the area or building berms around the area.

AA. Sector AA - Fabricated Metal Products.

1. Covered Stormwater Discharges. The requirements in Part VI for Sector AA apply to stormwater discharges associated with industrial activity from Fabricated Metal Products facilities as identified by the SIC Codes specified below.

SECTOR AA: FABRICATED METAL PRODUCTS	
3144-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
3911-3915	Jewelry, Silverware, and Plated Ware

2. Industrial Activities Covered by Sector AA. The types of activities that permittees under Sector AA are primarily engaged in are:

   a. fabricated metal products; except for electrical related industries;

   b. fabricated metal products; except machinery and transportation equipment;

   c. jewelry, silverware, and plated ware.

3. Stormwater Pollution Prevention Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: raw metal storage areas; finished metal storage areas; scrap disposal collection sites; equipment storage areas; retention and detention basins; temporary / permanent diversion dikes or berms; right-of-way or perimeter diversion devices; sediment traps / barriers; processing areas including outside painting areas; wood preparation; recycling; and raw material storage.

   b. *Spills and Leaks.* (See also Part IV(F)(5)) When listing spills / leaks, pay attention to the following materials at a minimum: chromium, toluene, pickle liquor, sulfuric acid, zinc and other water priority chemicals and hazardous chemicals and wastes.

   c. *Potential Pollutant Sources.* (See also Part IV(F)(4)) Describe the following additional sources and activities that have potential pollutants associated with them: loading and unloading operations for paints, chemicals and raw materials; outdoor storage activities for raw materials, paints, empty containers, corn cob, chemicals, and scrap metals; outdoor manufacturing or processing activities such as grinding, cutting, degreasing, buffing, brazing, etc; onsite waste disposal practices for spent solvents, sludge, pickling baths, shavings, ingots pieces, refuse and waste piles.

d. *Good Housekeeping Measures.* (See also Part IV(F)(7)(b)(i))

1. Raw Steel Handling Storage. Describe and implement measures controlling or recovering scrap metals, fines and iron dust. Include measures for containing materials within storage handling areas.

2. Paints and Painting Equipment. Describe and implement measures to prevent or minimize exposure of paint and painting equipment to stormwater.

e. *Spill Prevention and Response Procedures*. (See also Part IV(F)(7)(b)(i)) Ensure the necessary equipment to implement a clean up is available to personnel. The following areas should be addressed:

1. Metal Fabricating Areas. Describe and implement measures for maintaining clean, dry, orderly conditions in these areas. Consider the use of dry clean-up techniques.

2. Storage Areas for Raw Metal. Describe and implement measures to keep these areas free of condition that could cause spills or leakage of materials. Consider the following (or their equivalents): maintaining storage areas such that there is easy access in the event of a spill; and labeling stored materials to aid in identifying spill contents.

3. Receiving, Unloading, and Storage Areas. Describe and implement measures to prevent spills and leaks; plan for quick remedial clean up; and instruct employees on clean-up techniques and procedures.

4. Storage of Equipment. Describe and implement measures for preparing equipment for storage and the proper storage of equipment. Consider the following (or their equivalents): protecting with covers; storing indoors; and cleaning potential pollutants from equipment to be stored outdoors.

5. Metal Working Fluid Storage Areas. Describe and implement measures for storage of metal working fluids.

6. Cleaners and Rinse Water. Describe and implement measures: to control / cleanup spills of solvents and other liquid cleaners; control sand buildup and disbursement from sand-blasting operations; and prevent exposure of recyclable wastes. Substitute environmentally-benign cleaners when possible.

7. Lubricating Oil and Hydraulic Fluid Operations. Consider using monitoring equipment or other devices to detect and control leaks / overflows. Consider installing perimeter controls such as dikes, curbs, grass filter strips or other equivalent measures.

8. Chemical Storage Areas. Describe and implement proper storage methods that prevent stormwater contamination and accidental spillage. Include a program to inspect containers and identify proper disposal methods.

f. *Inspections.* (See also PartIV(F)(7)(b)(i)) Include, at a minimum, the following areas in all inspections: raw metal storage areas; finished product storage areas; material and chemical storage areas; recycling areas; loading and unloading areas; equipment storage areas; paint areas; vehicle fueling and maintenance areas.

g. *Comprehensive Site Compliance Evaluation.* (See also Part IV(K)(2)) As part of the evaluation, also inspect: areas associated with the storage of raw metals; storage of spent solvents and chemicals; outdoor paint areas; and drainage from roof. Potential pollutants include chromium, zinc, lubricating oil, solvents, aluminum, oil and grease, methyl ethyl ketone, steel and other related materials.

AB. Transportation Equipment, Industrial or Commercial Machinery

1. Covered Stormwater Discharges. The requirements in Part VI for Sector AB apply to stormwater discharges associated with industrial activity from Transportation Equipment, Industrial or Commercial Machinery facilities as identified by the SIC Codes specified below.

SECTOR AB: TRANSPORTATION EQUIPMENT, INDUSTRIAL OR COMMERCIAL MACHINERY	
3511-3599 (except 3571-3579)	Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC)
3711-3799 (except 3731, 3732)	Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R)

2. Industrial Activities Covered by Sector AB. The types of activities that permittees under Sector AB are primarily engaged in are:

   a. Industrial and Commercial Machinery (except Computer and Office Equipment) (see Sector AC) and

   b. Transportation Equipment (except Ship and Boat Building and Repairing) (see Sector R);

3. Stormwater Pollution Plan (SWPPP) Requirements. In addition to the following requirements, the permittee must also comply with the requirements listed in Part IV.

   a. *Drainage Area Site Map.* (See also Part IV(F)(2)(b)) Identify where any of the following may be exposed to precipitation / surface runoff: vents and stacks from metal processing and similar operations.

   b. *Non-Stormwater Discharges.* (See also Part IV(H)) If the facility has a separate MEPDES permit (or has applied for a permit) authorizing discharges of wastewater, attach a copy of the permit (or the application) to the SWPPP. Any new wastewater permits issued / reissued to the permittee must then replace the old one in the SWPPP. If the permittee discharges wastewater, other than solely domestic wastewater, to a Publicly Owned Treatment Works (POTW), the permittee must notify the POTW of the discharge (identify the types of wastewater discharged, including any stormwater). As proof of this notification, attach to the SWPPP a copy of the permit issued to the facility by the POTW or a copy of the notification to the POTW.

AC. Sector AC - Electronic, Electrical Equipment and Components, Photographic and Optical Goods

1. Covered Stormwater Discharges. The requirements in Part VI for Sector AC apply to stormwater discharges associated with industrial activity from facilities that manufacture Electronic, Electrical Equipment and Components, Photographic and Optical Goods as identified by the SIC Codes specified below.

SECTOR AC: ELECTRONIC, ELECTRICAL, PHOTOGRAPHIC, AND OPTICAL GOODS	
3571-3579	Computer and Office Equipment
3612-3699	Electronic, Electrical Equipment and Components, except Computer Equipment
3812	Measuring, Analyzing and Controlling Instruments, Photographic and Optical Goods

2. Industrial Activities Covered by Sector AC. The types of manufacturing activities that permittees under Sector AC are primarily engaged in are:

   a. measuring, analyzing, and controlling instruments;

   b. photographic, medical and optical goods;

   c. watches and clocks; and

   d. computer and office equipment.

3. Additional Requirements. No additional sector-specific requirements apply to this sector.

AD. Stormwater Discharges Designated By the Department As Requiring Permits.

1. Covered Stormwater Discharges. Sector AD is used to provide permit coverage for facilities designated by the Department as needing a stormwater permit, or any discharges of industrial activity that do not meet the description of an industrial activity covered by Sectors A-AC. Therefore, almost any type of stormwater discharge could be covered under this sector. The permittee must be assigned to Sector AD by the Department and may NOT choose sector AD as the sector describing the activities at the facility.

    a. *Eligibility for Permit Coverage.* Because this Sector only covers discharges designated by the Department as needing a stormwater permit (which is an atypical circumstance) or the facility's industrial activities were inadvertently left out of Sectors A-AC, and the facility may or may not normally be discharging stormwater associated with industrial activity, the permittee must obtain the Department's written permission to use this permit prior to submitting a Notice of Intent. If the permittee is authorized to use this permit, the permittee will be required to ensure the discharges meet the basic eligibility provisions of this permit at Part I(B).

2. Stormwater Pollution Prevention Plan (SWPPP) Requirements. The Department will establish any additional SWPPP requirements for the facility at the time of accepting the Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at the facility and the stormwater discharges.

3. Monitoring and Reporting Requirements. The Department will establish any additional monitoring and reporting requirements for the facility at the time of accepting the Notice of Intent to be covered by this permit. Additional requirements would be based on the nature of activities at the facility and the stormwater discharges.

AE. No Exposure Guidance and Form

Guidance Manual for Conditional Exclusion from Storm Water Permitting Based On "No Exposure" of Industrial Activities to Storm Water

Table of Contents

Disclaimer

The statements in this document are intended solely as guidance. This document is not intended, nor can it be relied on, to create any rights enforceable by any party in litigation with the State of Maine. The Department and state officials may decide to follow the guidance provided in this document, or to act in variance with the guidance, based upon an analysis of site-specific circumstances. This guidance may be revised without public notice to reflect subsequent changes in DEP's policy.

Introduction

The intent of the no exposure exclusion is to provide all industrial facilities regulated under this General Permit whose industrial activities and materials are completely sheltered, with a simplified method for complying with the Clean Water Act. Note that runoff from separate office buildings and their associated parking lots do not need to be considered when determining no exposure at an industrial facility.

As revised at 40 CFR 122.26 (g), if a condition of no exposure exists at industrial facilities regulated under Phase I of the Stormwater Program, then permits are not required for stormwater discharges from the facilities. Facilities wishing to take advantage of the permitting exclusion must submit a certification to the Department attesting to the condition of no exposure. Facilities must maintain their condition of no exposure, or, if conditions change, obtain coverage under an applicable stormwater permit.

The following sections of this guidance provide detailed information on:

- Who is eligible for the no exposure exclusion
- The definition of no exposure
- How to complete the No Exposure Certification form.

1.0 Who is Eligible to Qualify for the Conditional No Exposure Exclusion?

All Phase I industrial categories, save for construction, are eligible to apply for the no exposure exclusion.

1.1 Limitations on Eligibility for the No Exposure Exclusion

In addition to construction projects not being eligible, the following situations limit the applicability of the no exposure exclusion:

- The exclusion from permitting is available on a facility wide basis, not for individual outfalls. Generally, if any exposed industrial materials or activities are found on any portion of a facility, the no exposure exclusion is not available to that facility.
- If the Department determines that a facility's stormwater discharges have a reasonable potential to cause or contribute to a violation of applicable water quality standards, the Department can deny the no exposure exclusion.
- If changes at a facility result in industrial activities or materials becoming exposed, the no exposure exclusion ceases to apply. You should apply for coverage under an applicable MEPDES permit for stormwater discharges at least two days before the changes happen that cause the condition of exposure.
- Past sources of stormwater contamination that remain on site cause a condition of exposure.

2.0 What is the Definition of No Exposure?

No exposure means all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff.

Industrial materials and activities include, but are not limited to, material handling equipment or activities; industrial machinery; raw materials, intermediate products, by-products, and final products; or waste products.

Material handling activities include storage, loading and unloading, transportation or conveyance, of any

raw material, intermediate product, by-product, final product or waste product.

Many final products which are meant to be used outdoors (e.g., automobiles) pose little risk of stormwater contamination, i.e., the products cannot be mobilized by precipitation or runoff, and are thus exempt from the requirement that these products be sheltered to qualify for no exposure. Similarly, the containers, racks and other transport platforms (e.g., wooden pallets) used for the storage or conveyance of these final products can also be stored outside, providing the containers, racks and platforms are pollutant-free.

Storm-resistant shelters include completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, provided material under the structure is not otherwise subject to any run-on and subsequent runoff of stormwater.

DEP acknowledges there are circumstances where permanent, uninterrupted sheltering of industrial activities or materials is not possible. Under such conditions:

Materials and activities may be sheltered with temporary covers (e.g., tarpaulins) until permanent enclosure can be achieved.

The no exposure provision does not specify every such situation, but the Department can address this issue on a case-by-case basis, i.e., determine if the temporary covers will meet the requirements of this section.

In general, DEP recommends that temporary sheltering of industrial materials and activities only be allowed during facility renovation or construction.

3.0 Industrial Materials/Activities That Do Not Require a Storm Resistant Shelter
While the intent of the no exposure exclusion is to promote a condition of permanent no exposure, a storm-resistant shelter is not required for the following industrial materials and activities:

3.1 Drums, Barrels, Tanks and Similar Containers.

Drums, barrels, tanks and similar containers that are sealed ("sealed" means banded or otherwise secured and without operational taps or valves) are not exposed provided those containers are not deteriorated and do not leak. Unless the drums, barrels, etc., are opened while outdoors, or are deteriorated or leak, they will likely not constitute a risk of contaminating stormwater runoff. Consider the following in making your no exposure determination:

Containers can only be stored outdoors; and addition or withdrawal of material to/from containers while outdoors will not allow you to certify no exposure.

Simply moving containers while outside does not create exposure.

Inspect all outdoor containers to ensure they are not open, deteriorated or leaking.

DEP recommends that a designated individual regularly conduct these inspections.

Any time external containers are open, deteriorated or leaking, they must immediately be closed, replaced or sheltered.

Containers, racks and other transport platforms (e.g. wooden pallets) used with the drums, barrels, etc., can be stored outside providing they are contaminant free.

3.2 Above Ground Storage Tanks (ASTs)

In addition to generally being considered not exposed ASTs may also be exempt from the prohibition against adding or withdrawing material to/from external containers. ASTs typically utilize transfer valves to dispense materials which support facility operations (e.g., heating oil, propane, butane, chemical feedstocks) or fuel for delivery vehicles (gasoline, diesel, compressed natural gas). For ASTs to be operational and qualify for no exposure:

They must be physically separated from and not associated with vehicle maintenance operations.

There must be no piping, pumps or other equipment leaking contaminants that could contact stormwater.

DEP recommends, wherever feasible, that ASTs be surrounded by some type of physical containment (e.g., an impervious dike, berm or concrete retaining structure) to prevent runoff in the event of a structural failure of leaking transfer valve. Note: any resulting unpermitted discharge would violate the CWA.

3.3 Lidded Dumpsters.

Lidded dumpsters containing waste materials, providing the containers are completely covered and nothing can drain out holes in the bottom, or is lost in loading onto a garbage truck. Industrial refuse and trash that is stored uncovered, however, is considered exposed.

3.4. Adequately Maintained Vehicles

Adequately maintained vehicles, such as trucks, automobiles, forklifts, trailers or other general purpose vehicles found on site - but not industrial machinery - which are not leaking or are otherwise a potential source of contaminants.

Vehicles passing between buildings will likely come into contact with precipitation at some time, but so long as they are adequately maintained they will not cause a condition of exposure. Similarly, non-leaking vehicles awaiting maintenance at vehicle maintenance facilities are not considered exposed.

The mere conveyance between buildings of materials/products that would otherwise not be allowed to be stored outdoors, does not create a condition of exposure, provide the materials/products are adequately protected from precipitation and could not be released as a result of a leak or spill.

3.5 Final Products
Final products built and intended for use outdoors (e.g., new cars), provided the final products have not deteriorated or are otherwise a potential source of contaminants.

3.6 Types of Final Products Not Qualifying For A Certification of No Exposure:

Products that would be mobilized in stormwater discharges (e.g., rock salt).

Products which may, when exposed, oxidize, deteriorate, leak or otherwise be a potential source of contaminants (e.g., junk cars, stockpiled train rails).

"Final" products which are, in actuality, "intermediate" products. Intermediate products are those used in the composition of yet another product (e.g., sheet metal, tubing and paint used in making tractors).

Even if the intermediate product is "final" for a manufacturer and destined for incorporation in a "final product intended for use outdoors", these products are not allowed to be exposed because they may be chemically treated or are insufficiently impervious to weathering.

4.0 Other Potential Sources of Contaminants

4.1 Particulate Emissions from Roof Stacks or Vents.

As stated in the Phase II regulation, particulate emissions from roof stacks or vents do not cause a condition of exposure, provided they are in compliance with other applicable environmental protection programs (e.g., air quality control program) and do not cause stormwater contamination. Deposits of particles or residuals from roof stacks/vents not otherwise regulated and which could be mobilized by stormwater runoff, are considered exposed. Exposure also occurs when, as a result or particulate emissions, pollutants can be seen being "tracked out" or carried on the tires of vehicles.

4.2 Acid Rain Leachate.

As affirmed by a recent Environmental Appeals Board decision against the General Motors Corporation, CPC-Pontiac Fiero Plant (CWA Appeal No. 96-5), industrial facilities are also responsible for stormwater discharges which contain pollutants resulting from the leaching effect of acidic precipitation on metal building structures. Therefore, operators must be aware when they attempt to certify a condition of no exposure of the existence of structural elements that could be soluble as a result of contact with precipitation (e.g., uncoated copper roofs). If the dissolved metals or other contaminants could cause or contribute to a water quality violation, a condition of no exposure cannot be certified.

4.3 Pollutants Potentially Mobilized by Wind.

Windblown raw materials cause a condition of exposure. This is to alert operators to situations where materials sheltered from precipitation can still be deemed exposed if the materials can be mobilized by wind.

5.0 Certifying a Condition of No Exposure.

To obtain the conditional no exposure exclusion, you must submit a certification form attesting your facility meets the definition of "no exposure".

DEP's certification form uses a series of yes/no questions on the nature of the industrial activities and conditions at your facility. You may only qualify for the no exposure exclusion if you answer "no" to all of the questions.

The purpose of the certification form is twofold: 1) to aid you in determining whether you have a condition of no exposure at your facility or site; and 2) to furnish the necessary written certification that allows you to be relieved of permit obligations, provided you answer all the questions in the negative.

- If you answer "yes" to any of the questions about possible exposure, you must make the appropriate changes at the facility before you apply for the conditional exclusion. These changes must remove the particular material, process or activity from exposure to stormwater.

- If you answered "no" to every question, you qualify for the no exposure exclusion. To complete the process, you must sign and submit the form to the Department.

Certification Facts:

- The Certification must be completed and submitted to the Department once during the effective dates of the permit. The 2005 permit is effective from October 11, 2005 to October 11, 2010. Upon subsequent reissuance of the permit, you will be required to submit another no exposure certification form.

- A Certification must be submitted for each separate facility or site qualifying for the no exposure exclusion.

- The form is non-transferable. If a new operator takes over you facility, the new operator must immediately complete and submit a new form to claim the no exposure exclusion.

6.0 Are There Any Concerns Related to Water Quality Standards?

Yes. Operators who certified that their facilities qualify for the conditional no exposure exclusion may, nonetheless, be required by the Department to obtain permit coverage, based on a determination that stormwater discharges are likely to have an adverse impact on water quality.

Many efforts to achieve no exposure can employ simple good housekeeping and contaminant cleanup activities such as moving materials and activities into existing buildings or structures. In some cases industrial operators may make major changes at a site to achieve no exposure, such as constructing new buildings/shelters or constructing structures to prevent run-on. However, significant changes undertaken to achieve no exposure can increase the impervious area of the site. This occurs when a building is placed in a formerly vegetated area, for example. An increase in impervious area often leads to an increase in the volume and velocity of runoff, which, in turn, can result in a higher concentration of pollutants in the discharge, since fewer pollutants are naturally filtered out.

The concern over increased imperviousness engendered the following question on the Certification Form: "Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? If yes, please indicate approximately how much area was paved or roofed over." This will aid the Department in assessing the likelihood of such actions impacting water quality standards. Where this is a concern, the facility operator along with the Department should take appropriate actions to ensure that water quality standards are achieved.

7.0 What Do I Need To Do To Obtain the No Exposure Exclusion?

This section will walk you through the process of obtaining the no exposure exclusion.

Repeat the steps for each individual facility or site.

Step 1: Determine if your industrial activity meets the definition of a "stormwater discharge associated with industrial activity", as defined in Maine's MSGP. If so, proceed to Step 2. If no, stop here.

- If your facility is defined as an "industrial activity" under Maine's MSGP, you need to either apply for coverage under the MSGP or submit a no exposure certification, in order to be in compliance with the MEPDES stormwater regulation.

- Construction activities are ineligible for the exclusion.

Step 2: Determine if your regulated industrial activity meets the definition of no exposure and qualifies

for the exclusion from permitting. If it does, proceed to Step 3. If not, stop here and obtain industrial stormwater permit coverage.

- Using personnel familiar with the site and its operations, inspect or scrutinize all appropriate areas of the site to ascertain the site's exposure condition as per this guidance.

Step 3: Complete and submit the No Exposure Certification form to the Department.

- Be aware that even if you certify no exposure, the Department can still require you to apply for an individual or General Permit if it has determined that your discharge is contributing to the violation of, or interfering with the attainment or maintenance of, water quality standards, including designated uses.

- To maintain your exclusion from permitting, a certification must be completed and submitted to the Department once during the effective dates of the permit. The 2005 permit is effective from October 11, 2005 to October 11, 2010. Upon subsequent reissuance of the permit, you will be required to submit another no exposure certification form. This can only be done if the condition of no exposure continues to exist at the facility.

Step 4: Upon request, submit a copy of the certification form to the municipality in which you facility is located.

- You must submit a copy of your completed certification form to the operator of your Municipal Separate Storm Sewer System (MS4) if they so request or require. An MS4 operator could be the Department of Public Works, Sewer Commission, Municipal Engineering Department, etc.

- If you need to contact your local MS4 operator (e.g., if you are unsure about certification submittal requirements) and they are unknown to you, it may be useful to contact the town or city municipal office in which the discharge occurs to find out which department operates the MS4.

Step 5: When requested, allow the Department or, if discharging into an MS4, the MS4 operator, to inspect your facility. The Department may make any inspection reports publicly available upon request.

Step 6: Maintain a Condition of No Exposure.

- The no exposure exclusion is conditional and not a blanket exemption. Therefore, if onsite changes occur which cause exposure of industrial activities or material to stormwater, you must then immediately comply with all the requirements of the MEPDES Stormwater Program, including obtaining a stormwater discharge permit.

- Failure to maintain the condition of no exposure or obtain coverage under a MEPDES permit can lead to the unauthorized discharge of pollutants to waters of the United States, resulting in penalties under 38 M.R.S.A. § 416 and the CWA.